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STATE OF NEW YORK

DEPARTMENT OF LABOR

BULLETIN

1907

Volume IX
(Nos. 32-35)



ALBANY
J. B. LYON COMPANY, STATE PRINTERS
1908

4-8-08-1500 (29-8755)

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EDITOR:
ADNA F. WEBER, Chief Statistician

ASSOCIATE EDITORS:
GEORGE A. STEVENS LEONARD W. HATCH

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No. 32 March, 1907

STATE OF NEW YORK

DEPARTMENT OF LABOR

BULLETIN



Issued Under the Direction of
P. TECUMSEH SHERMAN, Commissioner of Labor

EDITOR:
ADNA F. WEBER, Chief Statistician

ASSOCIATE EDITORS:
GEORGE A. STEVENS LEONARD W. HATCH

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PUBLICATIONS

OF THE

New York State Department of Labor

The current report will be forwarded, on application, to any citizen of New York. Previous reports are free, but cost of carriage must be borne by applicants. Of the 1906 Report only Part I, Sixth Report of the Commissioner of Labor (transmitted to the Legislature Jan. 2, 1907), is ready for distribution.

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Chap. II. The state of employment (pp. xxxi–xlii).
Chap. III. Wages and earnings (xliii–lvi).
Chap. IV. Changes in the hours of labor (lvii–lix).
Appendix — Statistical tables (pp. 1–864).

The three parts of Vol. I may also be had separately bound in paper.

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New York Labor Bulletin

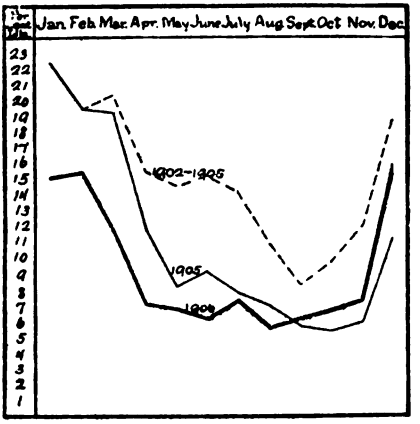
Published Quarterly by the State Department of Labor

Vol. IX, No. 1. ALBANY, March, 1907 Whole No. 32

EDITORIAL SUMMARY.

Toward the end of 1906 the unprecedented demand for labor fell off slightly in certain branches of industry, and in the last three months of the year the state of employment was not quite so favorable as in the corresponding period of 1905, although it surpassed any other year of the decade. Among 93,000 wage workers in about 85 different trades and occupations, 14,352 were idle at the end of December as compared with 10,223 a year earlier. Most of these were mechanics of the building trades, lake seamen, etc., but in several manufacturing industries the ratio of unemployed workmen had also increased. As shown on the accompanying chart, the ratio of unemployment was smaller in 1906 than in previous years through the first eight months of the year, but in September, October, November, and December it exceeded the ratio of 1905. At the end of December, 1906, out of 1,000 workmen reporting, 154 were idle as compared with 111 at the end of 1905, 196 at the end of 1904, and 190 for the four years 1902–5. The most conspicuous decrease in employment is in the building industry of New York City, where the number of buildings begun in the last three months of 1906 was 5,260 as compared with 6,556 a year earlier, and the estimated cost of buildings officially authorized declined from $56,669,905 to $38,347,207. In most of the other large cities the projected building operations continue very extensive.

The State of Employment.



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Immigration. Despite the lessened activity of trade, the influx of aliens continues at an unprecedented rate, the number of alien arrivals at the Port of New York in the last three months of 1906 (217,768) having been fifty thousand greater than in the corresponding period of 1905. In the calendar year the number of immigrants admitted at this single port was 963,609—enough people to form five cities as large as Rochester. About forty percent of the immigrants remain in this state, adding to its population every month the equivalent, in point of mere numbers, of a city the size of Niagara Falls, Newburgh, Watertown, Jamestown, or Mount Vernon. It is usual to count this additional population as a large economic gain, owing to the fact that the majority of the newcomers are wealth producers; but this overlooks the deduction that should be made for the large expenditure imposed upon the community to educate hordes of people who come here ignorant of our manners, customs and institutions, and unfitted to assume the responsibilities of American citizenship without training, which is expensive even if it is not carried out through the tangible instrument of the school house.

* * *

Labor Disputes. With the growth of prosperity has come an increased number of strikes on the part of workmen to secure a larger share of prosperity. In the last three months of 1906 the Bureau of Mediation and Arbitration recorded forty-three new trade disputes as against twenty-six in the corresponding period of 1905 and eleven in 1904. Fourteen of the disputes were due to demands for higher wages, and six were for shorter hours of work, while twelve related to methods of bargaining or some other feature of trade unionism. From the point of view of numbers involved the last-mentioned variety of disputes was the most important, including as it did the leading conflicts of the quarter—the strike of 2,600 electrical apparatus makers of Schenectady, in December, over the question of membership of three employees in rival unions and the lockout of 2,100 chandelier makers in New York City, November 20 to December 11, to establish the principle of the non-union shop. Since the last previous report the Bureau of Mediation and Arbi-

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tration has adjusted several disputes in New York City, including two among the silver workers and one of the umbrella handle makers. It also terminated within three days a strike of switchmen, which threatened to tie up the railroad yards of Buffalo, and assisted in preventing a similar suspension of operations in the railroad yards about New York harbor on account of a disagreement regarding a proposed advance in wages, which was finally submitted to arbitration.

* * *

New Trade Agreements.

The number of wage earners directly concerned in strikes or lockouts begun in the last quarter of 1906 (9,100) is very small compared with the number that obtained improved conditions of employment without any stoppage of work. Every important railway company in the state, for example, has adopted a new wage schedule providing for the higher wages or shorter hours, or both, asked for by employees in the train service, and in but the single instance of the Buffalo yards was there any interruption of work. In other industries in which collective bargaining is rendered possible by thorough organization on both sides, disagreements between the employers and the employed have been harmonized by recourse to arbitration or continued negotiations between their representatives. The associations of employing and journeymen carpenters in New York City have thus agreed upon a desired advance in the rate of wages in Manhattan Borough (from $4.80 to $5.00 a day), but by compromise deferred its adoption to July 1st. Similarly the national union of printing pressmen have just made an agreement with the employing job printers of the United Typothetæ for the establishment of the eight-hour day two years hence, which is reprinted in the BULLETIN. The compositors, however, maintain that this agreement was rendered possible through their own strike for the eight-hour day last year. The International Typographical Union has successively reduced the strike assessment upon its members from ten to two per cent of their wages, and at the end of the year there were only 360 men on the union strike roll in New York City as compared with 765 at the end of January. The union has just renewed its arbitration agreement with the American Newspaper Publishers' Association. Other branches of the printing trade are striving to obtain an eight-hour day, the

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lithographers having gone on strike and the bookbinders having voted to demand it.

* * *

Trade Unions in New York.

There are only four counties in New York State which have no labor organizations at present — Hamilton, Lewis, Schoharie and Schulyer. About two-thirds of all trade unionists are in the four counties which constitute the city of New York (260,008 members of 678 organizations), and the remaining 53 counties are represented as follows: Erie, 189 organizations, with 30,445 members; Monroe, 90 organizations, and 15,578 members; Onondaga, 86 unions, and 8,895 members; Albany, 102 unions, and 8,854 members; Westchester, 124 unions, and 8,784 members; Schenectady, 61 unions, and 7,994 members; Orange, 80 unions, and 5,763 members; Rensselaer, 60 unions, and 5,763 members; Oneida, 65 unions, and 4,663 members. Six counties have between two and three thousand members each, namely, Niagara (2,974), Chemung (2,588), Steuben (2,458), Washington (2,412), Saratoga (2,383) and Broome (2,317), and 12 more counties have upwards of 1,000 members each, as follows: Cattaraugus (1,998), Ulster, (1,785), St. Lawrence (1,698), Dutchess (1,607), Cayuga (1,511), Jefferson (1,463), Chautauqua (1,426), Ontario (1,327), Warren (1,212), Oswego (1,198), Rockland (1,119) and Montgomery (1,053). Of the remaining counties, 9 have at least 500 union members, 10 between 100 and 500 members and 7 less than 100 members. Of the 398,494 union men and women in the state, more than 90 percent are in cities, the number having increased in the past decade from 170,215 to 372,093. Table VIII of the BULLETIN shows the growth in each of the present 45 municipalities.

* * *

Trade Unions and the Law.

The BULLETIN contains the text of several recent judicial decisions concerning the rights of members of trade unions. The courts of this state have repeatedly ruled that a union may be sued whether it is incorporated or not, and when the union rules do not provide for a review, by the higher officials of the organization, of disciplinary votes of suspension or expulsion, the courts themselves will protect the rights of any member disciplined contrary to the rules of the

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union. The Appellate Division last month gave a careful interpretation of the law of extortion as applied to union officials, in a decision unanimously sustaining the conviction of a labor leader who extorted $2,700 from a contractor by a threat of calling the members of his union out on strike. The court says: "All controversies between capital and labor resulting in a strike injuriously affect more or less the entire community. They are sufficiently disastrous and deplorable when they result from an honest difference of opinion between the employer and the employed; but when, as here, the strike is protracted long after all grievances have been adjusted, by an officer of a labor union who betrays his trust to the fellow members of his union, and in effect deprives them of their rights to work until he has unlawfully extorted money from their employer for his own ends, the crime is intolerable from any point of view, and should be speedily and severely punished."

* * *

New Labor Laws Abroad.

In England where the beneficiary funds of trade unions were protected from seizure by legal process until the celebrated Taff Vale decision of the House of Lords, three years ago, reversed the construction given to the Trade Union Acts of 1871 and 1876, Parliament has just enacted a new trade disputes' law (reprinted in the BULLETIN), which not only provides that no court shall entertain an action against a trade union or any of its officers or members in respect of any *tortious* act alleged to have been committed on behalf of the union, but also changes the law of conspiracy so as to make it lawful for two or more persons to agree to do what any individual may lawfully do (boycott) and expressly legalizes peaceful picketing. Parliament has also revised and codified the workmen's compensation acts of 1897 and 1900, which virtually require the insurance of workmen against accidents by providing that the employer shall indemnify every employee injured irrespective of any question of fault or negligence. The new act brings within its application seamen and many other classes of workmen not before included, and contains the novel feature of assimilating to industrial accidents cases of industrial poisoning from lead, mercury, arsenic, phosphorous, etc. No American state has yet enacted a work-

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men's compensation law, although every country in Europe has long since recognized the failure of employer's liability laws to remedy the evils arising out of industrial accidents.

* * *

Accidents.

The record of accidents kept in the Department of Labor embraces only such as occur in factories, mines and quarries subject to the visitation of the factory inspectors. This record is constantly improving, and the department now receives more accident reports in one month than it received in an entire year down to 1900. In the last three months of 1906 the total number of accident reports received was 4,616, which was equivalent to sixty accidents on every working day in the quarter. Many of the accidents are of minor consequence, as the record includes every injury resulting in the loss of a half day's work; but at least 651 accidents entailed permanent disability of greater or less degree, and 488 more will probably have similar results, while 86 were fatal accidents. A very considerable proportion of the fatal accidents occur in connection with the transmission of power or conveying apparatus, such as elevators (16 deaths), factory locomotives or cars (8 deaths), belts, pulleys, etc., or else in connection with electricity (7 deaths). Of the lesser injuries, one of the most prolific causes is the stamping machine or punch press; of 214 workers thus injured, fully one-half lost one or more fingers.

The Bureau of Factory Inspection has been presented with models of some very useful safety guards for circular saws, and joiner, buzz-planer and shaper machines, which are on exhibition at its office. Contributions to this collection of models of safety devices are invited.

* * *

Factory Inspection.

The force of the bureau of factory inspection inspected 11,606 factories, bakeshops, tenement buildings, etc., in the last quarter of 1906, which represents an increase of 2,500 inspections over the corresponding period of the previous year. Particular attention, moreover, was given to the enforcement of compliances with orders issued to factory owners; the inspectors having followed up and investigated

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8,260 such orders, as compared with 1,080 a year previous. Advantage was taken of the new law authorizing the labeling of goods and stoppage of work in unclean factories, 106 times; while similar proceedings were carried out in four bakeries where the inspector's notices had been persistently ignored. In the same quarter the bureau began 99 prosecutions of manufacturers for deliberate violation of the law. Licenses to do manufacturing in tenement houses were issued to 504 owners, all but three of which buildings were in New York City. At the end of December there were 6,204 licenses outstanding, each representing one building. The number of employment certificates issued to children by the local boards of health steadily increases in all the first and second class cities. The Department finds it necessary again to issue warning that a gang of swindlers are blackmailing ignorant proprietors of small factories in New York city by selling them tickets to an alleged factory inspectors' ball. It seems unnecessary to announce that factory inspectors never give entertainments and are not allowed to solicit or receive money for any purpose whatever.

* * *

The Question of Overtime.

The amendments to the Labor Law recommended by the Commissioner of Labor include the reduction of the maximum working hours of women employed in factories from 60 to 58 a week, thus strengthening the tendency strongly manifested in the last few years, especially in New York City factories, to adopt the 9 or 9½-hour day as the normal workday. The Prentice bill, embodying this change, also encourages the adoption of the Saturday half-holiday, which is now almost universal in city building trades, by permitting the necessary amount of overtime to be made on the other five days of the week. Investigations made by factory inspectors indicate that at the present time, owing to the scarcity of labor and the consequent independence of wage workers, overtime work is quite voluntary in many if not most industries. The bill recognizes the necessities of manufacturers of confectionery and other commodities made of perishable materials by permitting the employment of women twelve hours a day or 66 hours a week for not to exceed six weeks each year.

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THE STATE OF EMPLOYMENT.

In order to ascertain the condition of employment in the principal industrial centers of the state the Bureau of Labor Statistics obtains monthly reports from local correspondents who are familiar with conditions in their own trade and locality. Between 190 and 200 trade union secretaries furnish such monthly reports, based on the facts as to idleness among nearly 100,000 wage earners in manufacturing, mechanical and transport trades, hotels, stores, etc. These monthly returns are tabulated in Tables V-VII of the appendix, and the results brought into comparison with those of earlier years in the following table:

NUMBER AND PROPORTION OF UNEMPLOYED WAGE EARNERS.

MONTH.	Number of unions.	Number of members reporting.	Number idle at end of month.	Per cent idle.	PERCENTAGE IDLE. 1905.	1904.	1903.	1902.	1902-5.
January	191	84,539	12,682	15.0	22.5	25.8	20.5	20.9	22.4
February	190	85,155	13,031	15.3	19.4	21.6	17.8	18.7	19.4
March	192	85,956	9,952	11.6	19.2	27.1	17.6	17.3	20.3
April	192	90,352	6,583	7.3	11.8	17.0	17.3	15.3	15.4
May	192	91,163	6,364	7.0	8.3	15.9	20.2	14.0	14.6
June	192	92,100	5,801	6.3	9.1	13.7	23.1	14.5	15.1
July	195	94,571	7,229	7.6	8.0	14.8	17.8	15.6	14.1
August	195	94,220	5,462	5.8	7.2	13.7	15.4	7.1	10.9
September	195	94,280	5,959	6.3	5.9	12.0	9.4	6.3	8.4
October	195	92,062	6,383	6.9	5.6	10.8	11.7	11.2	9.8
November	195	93,049	7,052	7.6	6.1	11.1	16.4	14.3	12.0
December	195	93,318	14,352	15.4	11.1	19.6	23.1	22.2	19.0
Mean for year	....	.....	.....	9.3	11.2	16.9	17.5	14.8	15.1

These results are in agreement with the statistics published in the December BULLETIN for all organized workingmen in the state. During the greater part of the year 1906 activity in trade was unprecedented, but toward the close it began to slacken, and during the last quarter there was more idleness than in the corresponding period of 1905. The average monthly percentage of wage earners idle in the last quarter of 1906 was 10, as compared with 7.6 in 1905, which, as previously noted, was exceptional—the mean percentage for the four years 1902-5 having been 13.6.

The causes of the increased idleness toward the end of 1906 were industrial. The factor of labor disputes was not especially prominent in November or December, and the item of personal disability (idleness, accident, old age) showed relatively little

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change as between 1906 and 1905. Almost the entire amount of idleness is ascribable to other causes, thus:

Principal Causes of Idleness at the End of Each Month, July—December.

Month.	Labor disputes.		Disability.		All other causes.	
	1906.	1905.	1906.	1905.	1906.	1905.
July	1,828	561	953	1,005	4,448	5,851
August	727	675	939	1,044	3,796	5,070
September	740	487	1,198	993	4,021	4,156
October	1,132	609	1,085	1,183	4,166	3,287
November	978	756	1,162	1,114	4,912	3,706
December	659	708	1,312	1,064	12,381	8,451

The only important causes of idleness other than personal disability or labor disputes are lack of work and unfavorable weather. The last-mentioned cause explains the idleness of only one-third of the 12,381 idle for miscellaneous reasons, most of them being seamen employed in summer on the Great Lakes. The building trades contribute most of the remaining idleness (Table VI), and it is especially in New York City that this industry now complains of scarcity of capital, deferred plans for building and consequent idleness for the building mechanics. Thus at the end of December, 1906, there were 4,439 men idle in 30 metropolitan building trades unions as against 1,300 at the end of December, 1905; and only 36 were idle on account of labor disputes (Table VII). The tables (XII–XIII) showing the proposed building operations in the leading cities are instructive. The estimated cost of projected buildings declined from $56,670,000 in the last three months of 1905 to $38,347,000 in the last three months of 1906, most of the decrease being in the Borough of Manhattan, although only Queens and Richmond Boroughs recorded an actual increase. While the number of buildings completed in the last quarter of 1906 (7,264) exceeded the number completed a year earlier (5,615), the number commenced (5,260) was much smaller (6,556). In Buffalo, too, the cost of projected construction work declined from the high records of 1904 and 1905; but Syracuse, on the other hand, attains new records, and Rochester almost equals the phenomenal figures of last year.

Comparative figures of idleness for each of the thirteen classes of industries or groups of trades are given in the following table:

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PERCENTAGE OF UNEMPLOYED MEMBERS OF TRADE UNIONS AT THE END OF—

GROUPS OF TRADES.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	Mean for six mos.
1. Building, stone working, etc.:							
1902	12.9	7.6	5.1	14.2	13.4	25.6	13.1
1903	29.7	20.8	12.3	9.5	18.8	27.4	19.8
1904	12.9	19.8	15.2	12.6	17.1	32.9	18.4
1905	5.6	4.5	2.5	5.2	7.5	8.4	5.6
1906	10.8	6.9	6.4	7.3	10.2	19.2	10.1
2. Transportation:							
1902	8.0	6.9	7.9	6.7	4.7	22.4	9.4
1903	5.8	4.6	4.3	11.0	13.5	39.9	13.2
1904	8.6	8.8	9.2	6.5	6.2	28.8	11.4
1905	7.7	6.8	4.2	3.2	3.7	29.2	9.1
1906	4.3	3.3	4.6	4.3	4.5	29.1	8.4
3. Clothing and textiles:							
1902	34.3	3.9	6.6	18.1	36.9	39.5	23.2
1903	21.8	27.5	11.6	22.9	32.7	35.9	25.4
1904	37.1	19.1	18.9	16.3	14.1	14.4	20.0
1905	11.1	9.6	11.9	10.8	8.5	7.3	9.9
1906	5.2	3.5	8.0	9.4	8.4	11.5	7.7
4. Metals, machinery, etc..							
1902*	4.0	2.9	3.8	3.1	4.7	9.1	4.9
1903	8.4	13.8	7.8	10.5	12.0	14.1	11.1
1904	13.2	10.0	8.0	9.5	8.8	8.8	9.7
1905	5.0	4.7	4.5	3.4	4.1	3.8	4.3
1906	3.5	4.0	2.8	8.8	7.5	6.2	5.5
5. Printing, binding, etc.							
1902	13.6	12.8	12.3	10.9	11.0	12.6	12.2
1903	13.3	13.2	12.0	12.2	11.8	13.6	12.7
1904	10.8	9.9	8.5	9.8	9.8	9.4	9.7
1905	9.3	9.2	11.3	10.8	13.0	12.1	11.0
1906	15.8	15.7	15.5	15.8	14.4	13.2	15.1
6. Woodworking and furniture:							
1902	18.6	14.5	7.7	9.7	15.1	21.2	14.5
1903	29.1	23.1	20.5	19.4	21.5	26.3	23.3
1904	36.8	27.6	25.2	19.3	18.5	26.2	25.6
1905	12.1	12.5	12.6	3.9	4.0	3.3	8.1
1906	13.5	10.9	9.0	7.5	6.9	12.9	10.1
7. Food and liquors:							
1902	11.2	9.9	8.1	10.9	5.7	12.6	9.7
1903	7.2	6.8	6.8	8.6	7.4	5.1	7.0
1904	5.9	7.4	8.2	16.9	10.6	10.9	10.0
1905	5.2	6.0	7.3	6.9	6.6	6.3	6.4
1906	5.6	5.5	7.2	6.1	5.5	5.9	6.0
8. Theaters and music:							
1902	29.0	20.0	0.3	8.9	8.9	8.9	12.7
1903	19.5	16.6	1.7	12.9	16.7	10.0	12.9
1904	17.4	15.6	13.6	13.3	12.7	12.4	14.2
1905	24.7	21.1	11.6	4.9	4.9	4.9	12.0
1906	24.8	10.7	4.2	7.3	6.8	6.8	10.1
9. Tobacco:							
1902	4.5	6.7	3.9	3.1	1.9	9.1	4.9
1903	6.8	5.9	3.2	3.4	4.0	18.7	7.0
1904	10.2	4.1	4.7	3.4	2.8	9.8	5.8
1905	8.3	7.8	2.9	2.2	2.3	10.9	5.7
1906	5.1	3.1	7.2	2.7	2.4	6.2	4.5
10. Restaurants, retail trade:							
1902	2.0	10.5	7.3	7.9	3.8	11.1	7.1
1903	4.4	2.8	6.4	9.3	9.4	11.4	7.3
1904	16.1	4.3	9.1	4.6	5.8	5.4	7.6
1905	4.9	5.6	6.7	13.0	7.3	11.3	8.1
1906	2.6	1.7	7.1	4.9	4.4	3.9	4.1

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11. Public employment:							
1902	6.0	6.0	6.1	4.7	1.5	2.5	4.5
1903	9.4	8.6	10.8	11.7	14.0	11.7	11.0
1904	8.1	9.0	9.3	6.0	6.1	5.0	7.3
1905	4.8	4.7	4.7	2.4	2.0	2.6	3.5
1906	1.9	2.2	1.5	1.2	1.2	1.9	1.7
12. Stationary engine men;							
1902	†	†	†	†	†	†	†
1903	3.3	3.1	3.2	3.0	3.2	3.3	3.2
1904	5.1	3.9	3.1	2.8	1.9	1.8	3.1
1905	2.7	2.7	3.0	2.4	2.7	3.9	2.9
1906	0.8	2.1	2.4	1.9	1.9	1.7	1.8
13. Miscellaneous:							
1902	22.0	1.2	0.4	1.9	5.0	11.9	7.1
1903	20.8	13.1	6.2	7.5	7.5	5.1	10.0
1904	14.8	3.6	3.0	4.9	3.9	4.5	5.8
1905	1.2	2.2	2.8	3.3	3.0	3.1	2.6
1906	1.6	3.1	2.1	3.2	3.9	3.0	2.8

* Includes Group 12.
† Included in Group 4.

In the month of December, 1906, six industries reveal more idleness and seven less idleness than in the same month of 1905; but the industries with increased idleness include the more important ones. Of the six leading industries all but one (transportation), disclose a larger proportion of unemployed workers at the end of 1906, and in the transport trades there is no perceptible improvement. Considerable improvement appears in the smaller groups 9-13, tobacco trades, hotels and restaurants, retail trade, public employment, stationary engine tending, etc.

A feature of the situation is the steady diminution in the idleness resulting from labor disputes during the latter part of the year, so that by the end of December, the year 1906 compared favorably even with 1905, thus:

NUMBER OF MEMBERS OF REPRESENTATIVE TRADE UNIONS RENDERED IDLE ON ACCOUNT OF LABOR DISPUTES AT THE END OF—

INDUSTRIES.	July.	Aug.	Sept.	Oct.	Nov.	Dec.
1. Building, etc.	973	100	46	100	50	36
2. Transportation	15	.....	75	.....	.....	.....
3. Clothing and textiles	179	25	25	100	100	122
4. Metals, machines, etc.	53	20	46	450	430	135
5. Printing and binding	601	573	527	476	392	360
6. Wood working and furniture	5	3	.....	.....	.....	.....
7. Food and liquors	.....	.....	.....	.....	.....	.....
8. Theaters and music	.....	.....	10	.....	.....	.....
9. Tobacco	2	.....	5	.....	.....	.....
10. Restaurants, retail trade	.....	.....	.....	.....	.....	.....
11. Public employment	.....	.....	.....	.....	.....	.....
12. Steam-engine men	.....	.....	.....	.....	.....	.....
13. Miscellaneous	.....	6	6	6	6	6
Total, 1906	1,828	727	740	1,132	978	659
Total, 1905	561	675	487	609	756	708
Total, 1904	4,982	4,824	4,829	3,194	2,660	2,760
Total, 1903	9,991	7,755	3,803	1,821	1,479	1,645
Total, 1902	6,690	*	246	*	*	497

No report.

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At the end of the year the largest number of strikers reported from the 192 representative unions is found in the printing trades; but this number is but little more than half as large as the number idle in July. The remaining strikers were nearly all shipwrights (group 4) or garment workers (group 3). In four industries not a single wage earner was returned as being on strike in the last six months of the year.

From Table VII, embracing the returns from New York City, figures are drawn to compare with earlier years as below:

At End of—	Unions.	Wage earners reporting.	Number idle.	Per cent idle.	Idle on account of: Labor disputes.	Idle on account of: Disability.	Idle on account of: Other reasons.
January, 1904.....	.....	68,808	15,953	23.2	1,815	922	13,216
December, 1904.....	86	66,185	11,770	17.8	2,564	897	8,309
December, 1905.....	89	62,940	4,226	6.7	673	701	2,852
December, 1906.....	90	62,213	7,938	12.8	654	841	6,443

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INDUSTRIAL RELATIONS IN NEW YORK.

Statistics of Disputes in October, November and December.

The record of strikes and lockouts kept by the Bureau of Mediation and Arbitration shows that there were 43 disputes of some importance which began during the months of October, November and December, 1906. In these controversies there were 9,095 employees directly concerned and 724 others who were indirectly thrown out of work. The total loss of working time within the three months in the 43 new disputes amounted to 132,879 days for those directly concerned and 7,227 days for those indirectly affected. In order to arrive at the total loss of time on account of disputes during the three months, however, it is necessary to add the time lost in disputes begun before October 1st, but which lasted beyond that date. In the last BULLETIN (p. 456) twelve disputes were noted as having continued beyond the end of September. It is somewhat difficult to calculate the loss of time in these disputes after the first of October, owing to the lack of precise information concerning three of them, involving 1,000 men, which were part of the lithographers' national strike for the eight-hour day, which still continues. But it is estimated that the twelve earlier disputes probably caused the loss of 60,000 days of working time in October, November and December, practically all by employees directly concerned. This would make the grand total of time lost on account of labor disputes in the fourth quarter of 1906 in round numbers 200,000 days.

Disputes were more numerous in the fourth quarter of 1906 than in the same quarter of any of the three immediately preceding years, and the average number of employees directly concerned in new disputes was twice as great as in 1905, and larger than in 1904, though not so large as in 1903, thus:

		Fourth Quarter.			
		1906.	1905.	1904.	1903.
Number of new disputes		43	26	11	17
Employees directly concerned.	Total	9,095	2,665	2,083	4,140
	Average per dispute	212	103	189	244

The most comprehensive basis of comparison of one period with another as to the amount of disturbance of industrial relations by

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industrial disputes is the total amount of working time lost. As above noted the total for the last three months of 1906 is estimated at 200,000 days for all disputes existing during the quarter, with which may be compared a similar total of 55,000 for the corresponding months of 1905.

Of the new disputes of the fourth quarter of 1906 there were 12 which occasioned the loss of 2,000 or more days' time as compared with but three such in the same quarter of 1905. These 12 disputes, which, together, account for nearly all the time lost in new disputes in 1906 (129,000 out of 140,000 days) and all but two of which were in New York City, were the following:

LOCALITY.	Trade.	Date.	EMPLOYEES INVOLVED. Directly.	Indirectly.	Aggregate days lost.
Schenectady.....	Electrical apparatus makers.....	Dec. 10–20.....	2,600	.....	26,000
New York City†..	Chandelier makers...	Nov. 20–Dec. 11.	2,098	.....	22,939
New York City...	Shipwrights.....	Oct. 1–Dec. 6...	369	.....	21,033
New York City‡..	Silver workers.....	Oct. 8–Jan. 21...	269	.....	*13,000
New York City†..	Chauffeurs.....	Oct. 25–Nov. 17.	300	25	8,125
New York City...	Jacket makers.....	Nov. 19–Jan. 3..	200	.....	7,600
Amsterdam†.....	Broom makers.....	Oct. 13–Nov. 10.	121	399	7,486
New York City...	Mineral water bottlers and drivers..	Oct. 9–Feb. 29..	211	.....	*7,000
New York City...	Silver workers.....	Oct. 13–Feb. 1..	97	16	*6,156
New York City‡..	Umbrella handle makers.....	Nov. 8–Dec. 5...	300	.....	5,180
New York City...	Silver workers.....	Oct. 8–Dec. 11..	54	.....	2,500
New York City...	Barbers.....	Oct. 1–Dec. 15..	200	.....	2,000

* To December 31st.
† See account in Bulletin No. 31, pp. 457 sq.
‡ See account in following pages.

In the table below are summarized the causes and results of the new disputes of the fourth quarter of 1906. Demand for higher wages was the most frequent cause of disputes, but comparatively few employees were involved in these controversies. Questions of trade unionism caused nearly as many disputes, and a majority of all the employees directly concerned in disputes during the quarter were contending for objects connected with these questions. This prominence of trade unionism among causes is due entirely to the fact that the strike of 2,600 electrical apparatus makers in Schenectady was undertaken to compel the reëmployment of three union members who had been discharged, and the lockout of 2,098 chandelier makers in New York City,

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was for the purpose of establishing open shops, these being the two leading disputes of the quarter, especially in respect of numbers involved. Considering simply number of disputes, the workpeople won as many as employers. But when numbers of employees involved are considered the balance of results appears strongly in favor of employers. Here again the two principal disputes of the quarter appear as the decisive factor, the electrical apparatus makers of Schenectady having been totally defeated, and the chandelier makers in New York City having been able only to secure a compromise, and that an unfavorable one, since they received only minor concessions in regard to fines for tardiness and pay for supper time, while being compelled to submit to open shop conditions.

	Number of Disputes.					
	won by					
Cause or Object.	Workers.	Employers.	Compromised.	Pending or not reported.	Total.	Employees directly concerned.
Increase of wages	4	7	3	.....	14	1,233
Reduction of wages	2	.....	.....	.....	2	126
Reduction of hours	2	3	1	.....	6	1,340
Longer hours	1	.....	.....	.....	1	10
Trade unionism	6	4	2	.....	12	5,774
Particular persons	1	2	.....	.....	3	195
Working arrangements	1	1	1	2	5	417
Total disputes	17	17	7	2	43	.....
Employees directly concerned	2,091	4,162	2,811	31	.....	9,095

INTERVENTION OF THE BUREAU OF MEDIATION AND ARBITRATION.

Buffalo Creek Railroad Switchmen.

On January 12th the switchmen (sometimes designated as yard conductors and brakemen) employed on the Buffalo Creek Railroad at Buffalo went on strike — the result of a disagreement between the management and the Switchmen's Union of North America on the question of the right of the union, of which all but three or four of the employees of this corporation in this class of service were members, to negotiate a proposed working schedule or agreement, commonly termed "mutual bargain," which some time previously had been presented to the management through the regular adjustment committee of employees, no such arrangement having previously existed for this class of service on this property. The management contended that notwithstand-

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ing the fact that upwards of 90 percent of its employees in this class of service were members of the switchmen's organization, the balance should participate in the making of the schedule; and on the date set for its discussion, one or two such other employees were present. The switchmen's union committee objected to such participation, and withdrew from the conference, in which course they were sustained by their organization. Several attempts were made later to reconcile the management to the contention of the Switchmen's Union, without success, with the result that the strike was instituted.

Mr. Lundrigan was in Buffalo at the time the strike occurred, and immediately undertook the work of attempting to effect a settlement. None of the foregoing conditions or facts were known to the Bureau until the strike had actually taken place. We venture to say that if they had, it is reasonably possible that the strike could have been prevented. Our inquiry and investigation disclosed the fact that there was considerable misunderstanding as to precedent and practices on other railroads in the making of schedules or working agreements, and as to whether or not such agreements or schedules were of themselves desirable. The employees' organization, acting under the personal advice and direction of National Grand Master Hawley, occupied a most tenable position in view both of precedent and practice in making such agreements, and of the fact that there had been nothing to indicate that working conditions mutually satisfactory to both parties could not be agreed on.

During the two days immediately following the inauguration of the strike, several conferences were held separately with the representatives of each of the interests involved, and on the morning of the fifteenth a joint conference of Manager Knibloe of the railroad, Grand Master Hawley of the Switchmen's Union of North America, and Mr. Lundrigan of this Bureau, was held. This joint conference resulted in an understanding whereby the management conceded the exclusive jurisdiction of the Switchmen's Union committee in the making of the schedule, and under which the work of making such schedule was to be taken up at once by the management and the committee, which was accordingly done, with the result that during the same afternoon a mutually satisfactory schedule was completed, and the strike was terminated.

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We take this occasion to point out the wisdom, not to say the necessity, of utilizing all means or agencies to prevent interruption of the operation of public utilities or public service corporations, before such interruption takes place, and venture to assert that it is fear of misinterpretation more often than any other cause which discourages such a course — fear, for instance, that an appeal for intervention will be construed as evidence of an intention to yield, whereas it really means only the utilizing of more complete sources of information and experience. When it is taken into consideration that the territory affected by this strike is perhaps more vital to the general movement of freight than any single railroad property outside of the New York City district, and that there were numerous complications which might easily have resulted in the extension of the strike to such proportions as to paralyze railroad traffic in the locality, for a time at least, and that it is our conviction that this strike could have been prevented had the management enjoyed the same knowledge of practice and precedent in similar circumstances as they acquired after the actual stoppage of operations, or had either or both parties availed themselves of the services of this Bureau, our reasons for constantly urging all parties to industrial disputes to avail themselves of the services of agencies of information, conciliation or arbitration, public or private, will perhaps be better understood and appreciated.

New York City Firemen and Trainmen.

During the month of November, 1906, the locomotive firemen employed on the Erie railroad, through the general committee of adjustment of the Locomotive Firemen's Brotherhood, presented a new working agreement or schedule to the management, which proposed, in addition to a more or less general increase in wages, that firemen should receive pay for the time they are required to be on duty before their trains are scheduled to leave the initial terminal; i. e., time to be allowed and computed from the time a fireman is required to report for duty, instead of from the leaving time of the train, as was provided in the then existing schedule.

The employees' committee was insistent that the above provision be granted before going into the other provisions of the proposed schedule, while the employing corporation insisted that this par-

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ticular contention be left open until after working schedules governing other branches of the service had been adjusted by the management and the adjustment committees of the other classes of employees. The firemen's committee seemed to construe the position of the employer as a refusal outright to grant the demand in question, and adjourned for the purpose of taking a referendum vote of the firemen employed on the Erie system as to whether or not they would sustain the committee, which was equivalent to a recommendation by the committee to strike, subject to the approval of the grand officers.

While train service railway organizations very seldom find it necessary to resort to the formality of a strike vote, or engage in an actual strike, this Bureau felt that there was more than a possibility that a strike might result from this dispute; and in order that nothing might be left undone to prevent interruption of the operation of this important public utility, and in order that all undue friction between employer and employee might be obviated, we forthwith communicated with both parties to the dispute, pointing out the injustice, inconvenience and hardship which must result to the public if a strike occurred, as well as the loss to both employer and employee, and formally tendered the services of this Department and Bureau, strongly urging some form of arbitration for any or all questions that could not be otherwise settled.

Notwithstanding the fact that it seems to be generally understood that the vote of the individual firemen was practically unanimous to sustain the committee, another conference was held which resulted in the enactment of a working agreement generally satisfactory to the interests concerned. The settlement of the contention which caused the interruption of negotiations was in the nature of a compromise providing that for all firemen employed on other than regular scheduled trains, "time will be computed from the time they are required to report for duty; on other engines or trains, practice then in effect will continue."

Another threatened strike, which on the surface at least seemed more likely to occur than the one above mentioned, was that of the yard employees in the switching service of the railroads in what is termed the New York Harbor district, which includes the railroad terminals at New York City, Jersey City and Weehawken.

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It appears that during the month of November the adjustment committee of the Brotherhood of Railroad Trainmen, representing the employees in switching service, made a demand for an increase of 5 cents per hour in wages for all such employees in the New York Harbor district, which was promptly granted by the New York Central Railroad Company, but not by the several other roads affected. During conferences between the several railway managements and committees of the Railroad Trainmen's Brotherhood, several compromise offers were made by individual railways, but all of these were unsatisfactory to the employees' committee, which insisted on the same increase as that already granted by the New York Central. In the meantime a referendum vote of the employees, represented by the committee, had been taken to determine whether or not they were willing to sustain the committee, which, as in the case of the Erie firemen's vote, meant whether or not they would withdraw from the service if such action should be sanctioned by the proper authorities in the trainmen's organization. The vote must have been favorable to the proposition to strike, as indicated by an ultimatum issued December 20, 1906, by a grand officer of the Trainmen's Brotherhood to the managements of the railroads affected, which stated in specific terms "that unless the increase granted by the New York Central — namely, 5 cents per hour, effective December 1, 1906 — is conceded by your company on or before December 22, 1906, all members of the Brotherhood of Railroad Trainmen employed in your yards in the harbor district will consider your failure to concede the rate as a refusal to deal as fairly with your men as the road mentioned above, and will at once withdraw from your service." The effect of such action, had it been carried out, would have been a practical suspension of the interchange and delivery of freight in the territory of all railroads serving New York Harbor, except the New York Central and the New York, New Haven and Hartford Railroads.

The foregoing ultimatum was the first intimation this Bureau had that a strike was seriously threatened, and realizing the necessity for the application of all possible agencies or remedies to prevent the interruption of a service of such vital importance and necessity to the communities affected, the Bureau forthwith served

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a copy of the following on the representatives of each of the parties to the dispute:

"*To the General Management of Railroads in New York State and Representatives of their Employees in the Switching Service; Parties to the Dispute in the New York Harbor District.*

GENTLEMEN: Press reports indicate a possible interruption of operation on all railroads, with few exceptions, in the Greater New York district, as the result of a dispute as to compensation between the railroad corporations and their yard employees.

If this condition is as outlined in the press dispatches, the New York State Department of Labor must protest against such interruption of these public utilities, until all other means of settlement of the existing dispute are exhausted; and to that end the services of the New York State Board of Mediation and Arbitration are hereby tendered. Should the threatened strike take place, it would probably be incumbent on this Board to make a thorough investigation, fixing the responsibility for the interruption of the public service.

A representative of this Department will present this notice and will make the necessary arrangements for intervention by the State Board of Mediation and Arbitration, if such is desired or necessary.

Very truly yours,

(Signed) JOHN LUNDRIGAN,

Member State Board of Mediation and Arbitration."

Following the service of the foregoing, negotiations between the parties to the dispute were re-opened through the medium of a joint conference of the managements of the railroads with committees representing the employees and the grand master of the employees' organization, brought about by mutual agreement of the two parties. This conference accomplished a settlement of the matters in dispute in the form of a compromise, the pertinent points of which were, that a demand originally made for the eight-hour day or three tour system was withdrawn, and an increase in wages of 4 cents per hour, effective December 1st, was granted by all of the roads except the Long Island Railroad, which granted the conductors an increase of 4½ cents and the brakemen one of 3½ cents, effective December 1st, while the question of granting an additional cent per hour increase in all of the yards affected, except those of the Long Island and Staten Island Railroads, was submitted to arbitration. This arbitration, it may be noted here, resulted in a decision against the additional increase of one cent.

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It has come to our knowledge that there was some desultory criticism of our interference in this dispute. We can only point to the fact that the record shows that when we intervened all indications were that a strike was imminent. Our communication to the contending parties occurred after an ultimatum had been issued, which left only the alternative of a strike or the granting of the demand as to wages. We considered that all other methods of settlement had not been exhausted, and believe the settlement arrived at justifies that view.

New York City Silver Workers.

On October 8th, 1906, a strike for reduction of hours from ten to nine per day and recognition of the union was begun by 215 employees of E. G. Webster & Sons, a Brooklyn firm of silverware manufacturers, who employ in the busy season 330 hands. The strike having continued for two months, with no prospect of settlement, on December 10th, representatives of the Bureau of Mediation and Arbitration called on each of the parties and opened negotiations for a conference on the following day between representatives of the firm and a committee of the strikers. The way to such conference appearing to be clear, on the morning of the 11th one of the Bureau's representatives visited the strikers at their meeting place and secured a statement of terms they were willing to make in settlement of the controversy, which were that the strikers should all return to work at ten hours as formerly, that recognition of the union would not be insisted on and that the question of later establishing the nine-hour day should be submitted to arbitration. These terms were then submitted to two members of the firm by the Bureau's representatives, and the employers signified their willingness to take back the men without recognition of the union, and explained with respect to the nine-hour day that the firm was unable to grant that because all its competitors were working on a ten-hour basis. A committee of the strikers having been called in the firm's position was restated to them and a discussion followed, the strikers' committee finally appearing to be satisfied with the employers' terms, but stating that they must report back to a meeting of the striking employees.

In the evening of December 13th the committee made its report

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to a meeting of the strikers and other members of their union, which was attended by the representatives of the Bureau of Mediation and Arbitration. The outcome of this meeting, after prolonged discussion, was the appointment of a committee which, on the following morning, in the presence of the Bureau's representatives, informed the principal member of the firm that at the meeting of the night before it was voted not to accept the terms offered but to insist that a definite date be set for the establishment of a nine-hour day, and that definite dates be fixed for the re-employment of each class of workmen, and if Mr. Webster would not agree to this they were to ask that he use his influence with the manufacturers' association to have the nine-hour day established in the trade. These new demands were refused on the spot by Mr. Webster, who reiterated, however, his former willingness to take back the strikers on the old terms, but declared that, the busy season being on, any further attempt at arbitration would have to be postponed at least until after the holidays.

In view of Mr. Webster's statement no further efforts at mediation were made until after the holidays, although the strike was continued. But on January seventh the representatives of the Bureau of Mediation and Arbitration called at the strikers' headquarters and then, being requested by the strikers so to do, called on Mr. Webster and found him willing to reopen the matter. Accordingly, on the following day, negotiations were taken up, no conference of the parties being held, but the Bureau's representatives acting as mediators. The strikers having asked for a nine-hour day with ten hours' pay, Mr. Webster replied that he was ready to treat with the men on a nine-hour basis, but that he would not recognize the union and could not take back all the strikers, though he would do the best he could in that direction. These terms were considered by the strikers at a special meeting but were rejected, and it was voted to continue the strike. But efforts for a settlement were continued by the Bureau's representatives and finally resulted successfully on January 21st, when the men declared the strike off essentially on the terms as proposed by the employers on January 8th, that is, return of the strikers to work as individuals on a nine-hour basis, Mr. Web-

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ster agreeing to take the men back just as soon as his business would permit. In spite of the long drawn out dispute, there was a notable absence of hard feeling between the firm and its employees throughout the controversy, and after the settlement the best of feeling prevailed between the two.

On October 13, 1906, there was a strike of sixty bobbers and polishers in the employ of the Whiting Manufacturing Company of New York City to compel the discharge of a non-unionist who had formerly been a union member. As soon as the man objected to learned that the strike was due to opposition to him, he voluntarily left the employ of the company, the latter, however, urging him to remain and securing from him a signed statement that he was leaving of his own accord. But his leaving did not end the strike owing, apparently, to the fact that the signed statement as to his leaving which the company had insisted upon his making and the nature of which had been made known to the strikers, was interpreted by the latter as an act of hostility on the part of the company. Accordingly the strike was continued and after waiting two weeks for the strikers to return to work, the firm began securing new hands, many of them from other cities, for whom the company fitted up quarters in a house not far from the factory. The advent of these new employees led to an extension of the strike on November 10th, when thirty-seven employees of other departments joined the bobbers and polishers, and the issue in the controversy became the discharge of the new hands, or alleged "strike breakers."

On December 12th the company posted a notice to the effect that the strikers would be given one last opportunity to return to work on Monday, January 7th, and that those who did not then return would be dropped from the payroll. At this stage of the dispute a representative of the Bureau of Mediation and Arbitration visited the office of the company and arranged for a conference between two members of the firm and two representatives of the Metal Polishers, Buffers, Platers, Brass Molders, Brass and Silver Workers' Union of North America, the strikers being members of two local unions of that organization. The conference was held at the office of the company on January 28th, and

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was attended by two representatives of the Bureau. At this conference the employers insisted throughout that the first step toward a settlement must be an unconditional calling-off of the strike and that until that should be done the firm would make no promise as to discharge of new hands or reinstatement of former employees beyond an assurance that after the strike should be declared off the matter would be taken up and all hands would receive absolutely fair treatment on the simple basis of competency as workmen. As the result of the conference a meeting of the two local unions Nos. 282 and 332 was held on January 31st, a representative of the Bureau attending and taking part in this meeting as also in a preceding meeting of the executive boards of the unions. After hearing and discussion of the report of the conference of the 28th it was voted at the union meeting "That the matter of conducting the affairs of the locals in connection with the strike under consideration be referred, and is hereby referred to the Joint Executive Boards representing our locals." Immediately after the meeting the executive boards convened, requesting the Bureau's representative to remain, which he did, and resolved, "That the strike against the Whiting Manufacturing Company be declared off, as per request of Messrs. Hamilton and Osborne [representatives of the firm at the joint conference], and that all further negotiations as to the reinstatement of the men be placed in the hands of Messrs. Leary and Ford [the employees' representatives at the conference] and the State Board of Mediation and Arbitration."

The above action, which brought the strike to an end on February 1st, was on that day reported to Mr. Hamilton, of the firm, by the employees' representatives in company with a representative of the Bureau, and at a joint conference on February 5th, at which again representatives of the Bureau were present, the question of re-employment of the strikers was taken up. While the minutes of this conference were not made public it is understood that the company agreed to re-employ the men as fast as vacancies should occur and that this agreement has since been kept to the satisfaction of the union.

Under date of February 13th the Commissioner of Labor received the following acknowledgment of the services of the Bureau

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of Mediation and Arbitration from the union business agent who had conducted the strike:

METAL POLISHERS, BUFFERS, PLATERS, BRASS AND SILVER WORKERS' UNION OF NORTH AMERICA, LOCAL NO. 282.

NEW YORK CITY, *February* 13, 1907.

MR. P. T. SHERMAN.

Dear Sir:— The above named organization hereby acknowledges the valuable assistance rendered them by the Board of Arbitration and Mediation in the settlement reached in the Whiting Manufacturing Co. strike of sixteen weeks duration. Your representatives were Messrs. Bealin and Reagan. Thanking you for the interest taken in our case and wishing you success in all like ventures, I beg to remain

(Signed) A. HELLTHALER,
Vice-President District No. 1.

New York City Umbrella Handle Makers.

On November 8th, 1906, a strike occurred in the shops of two members of the Umbrella Handle and Cane Makers' Association of New York City, for the purpose of enforcing a demand for a reduction of hours from ten to nine per day, and for closed shops. On November 15th similar strikes occurred in two other shops and on the same day the manufacturers' association declared a lockout in all of their shops, fourteen in number. The total number of men locked out was 300, including the 32 who went out in the strikes of November 8th and 15th.

On December 4th and 5th a representative of the Bureau of Mediation and Arbitration, after separate interviews with the strikers at their headquarters and with the executive committee of the employers' association, succeeded in arranging a conference between the employers' executive committee and a committee of seven of the strikers, who had been given full power to arrange terms of settlement. The conference was held at the Grand Central Hotel and lasted from 3 until 7 o'clock P. M. on December 5th. In addition to the two committees there were present the secretary of the United Hebrew Trades, with which the strikers' union was affiliated, and two representatives of the Bureau of Mediation and Arbitration, one of whom acted as chairman and the other as secretary of the meeting.

After extended discussion the strikers' committee retired to formulate a definite proposition for a settlement, and on returning to the meeting proposed as their terms that the union should be

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recognized, that work should be resumed at ten hours per day until March 1, 1907, and that on June 1, 1907, a joint committee be appointed to take up for final consideration the question of recognition of the union and reduction of hours to nine per day. After further discussion the manufacturers' committee offered as a counter proposition that the men return to work on the ten-hour basis, and that on June 1, 1907, the questions of reduction of hours and recognition of the union should be taken up by a committee composed of seven members, three named by each side, with the seventh chosen by these six. Further discussion finally resulted in an agreement by which the proposal of the employers was accepted, with the addition of provisions that all the men on strike should return to work and receive their former places, that in the interval prior to June 1, 1907, no one should be discharged without just cause and that the men who had left the union during the strike and had been employed by members of the manufacturers' association should be compelled to return to the union and take out union cards. Following the conference the representatives of the Bureau, at the request of the president of the strikers' union and the secretary of the United Hebrew Trades, attended a meeting of the strikers and others, called originally to raise funds for the strikers, at which the men's committee made report of their action in connection with the settlement. Only after considerable discussion and explanation could the meeting be brought to accept the terms of settlement, but this was finally done and work was resumed on the morning of December 6th.

JOINT TRADE AGREEMENTS.

Pressmen's Agreement with the United Typothetæ of America.

This Agreement, made and entered into this 8th day of January, 1907, by and between the United Typothetæ of America and the International Printing Pressmen and Assistants' Union of N. A. for the purpose of establishing between the employing printers of the United States and their pressmen and feeders uniform shop practises and fair scales of wages, settlement of all questions arising between them, and the abolition of strikes, sympathetic or otherwise, lockouts and boycotts.*

Witnesseth, That any question arising between a local Typothetæ or affiliated association of employers and their pressmen or feeders in regard to wages or shop practises shall be referred in writing to the local Conference Com-

* Ratified by the Typothetae Feb. 2, 1907.

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mittee, made up equally of representatives from the local Typothetæ and the local Union. During such conference, and until final settlement of the question, the conditions obtaining at the time of the notice shall continue, and in the mean time there shall be no lockout and the men shall remain at work. Should either party, after such notice, consider itself further aggrieved such party shall immediately present a written protest of such condition to an officer of the other party, which grievance shall be acted upon by the Conference Committee within five days. Neither party shall have the right, under any circumstances, to decide that the other party has broken the contract, but such decision shall remain only with the Conference Committee. Should this Committee be unable to agree, or should one of the parties consider itself aggrieved by said Committee's findings, either party to the Conference may refer the question at issue to the National Conference Committee, which National Conference Committee shall act as hereinafter set forth.

Both local and National Conference committees, in settling questions of shop practise, shall aim at the establishment of uniform shop practise throughout the United States and Canada. Unless special contracts to the contrary exist, any finding of the National Committee in regard to shop practise shall be binding upon local organizations.

A ruling upon a question of shop practise shall be made within three months after the presentation of such question to the Conference Committee of either side, and such ruling when once established by said committee shall not be reconsidered within two years.

Any change in the scale of wages shall be settled by conference or arbitration within four months after the first request for consideration, but shall not go into effect until one year after the first request for consideration; and no scale of wages shall be changed oftener than once in three years; provided, however, that all such scales of wages shall terminate with the expiration of this contract unless specifically agreed to the contrary.

All present contracts between the local Typothetæ or affiliated organizations of employers and their pressmen and feeders shall continue in force until their natural expiration.

A contract accepting a particular scale of wages does not include the acceptance of any rules of the union in regard to shop practise not specially mentioned in said contract.

The International Printing Pressmen and Assistants' Union of N. A. shall not engage in any strike, sympathetic or otherwise, or boycott, unless the employer fails to live up to this contract, it being understood that the employer fulfils all the terms of this contract by paying the scale of wages and living up to the shop practises as settled by the committee, regardless of his employees' union affiliations; no employer shall engage in any lockout unless the union or members thereof fail to live up to this contract; the conference or arbitration committee to be the final judge of what constitutes a failure to live up to this contract.

Pending investigation or arbitration, the men shall remain at work. The Conference Committee shall fix the date when any decision shall take effect, except the question of wages, which is heretofore provided for.

In the event of either party to the dispute refusing to accept and comply with the decision of the National Board of Arbitration, all aid and support to the firm or employer or local union so refusing acceptance and compliance

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shall be withdrawn by both parties to this agreement. The acts of such recalcitrant employer or union shall be publicly disavowed, and the aggrieved party to this agreement shall be furnished by the other with an official document to that effect.

In the event of a strike in a non-Typothetæ office, if it is proven to the Local Conference Committee that such office is not complying with the shop rules and practises and scale of wages in accordance with the terms of this contract, no assistance shall be given to such office by Typothetæ members.

This agreement shall continue in full force and effect until May 1, 1912.

It is expressly agreed that until January 1, 1909, fifty-four hours shall constitute a week's work; and that thereafter during the life of this contract 48 hours of eight hours a day shall constitute a week's work; arrangements however, can be made locally to bring the 48 hours so that a Saturday half-holiday can be enjoyed without overtime cost to the employer, it being distinctly understood that the employer is entitled to the forty-eight hour week 52 weeks in the year, except where legal holidays intervene.

Notice of any desired changes in the contract must be given in writing by either party to the contract at least one year prior to the expiration thereof.

Manner of arbitration: Each party to this contract shall appoint two of its members who shall be known as its members of the National Board of Conference and Arbitration. These members may be changed at the will of the respective parties except during the negotiation of any particular question, during which time the membership of such Board shall continue the same. In case of the death of any member of such Board during the consideration of a question, the place of such deceased member shall be filled by his party, and the entire proceeding shall thereupon begin again. This Board shall meet upon a request of the president or presiding officer of either party at some point to be mutually agreed upon, within one month of such request, and shall take such evidence as it may consider bears upon the subject in hand. A majority of votes cast upon any question shall be binding upon both parties to this agreement. Should the vote upon any question result in a tie, this Board shall select a fifth person to act as arbitrator, who shall for this particular question act as a member of such Board, and the decision of such constituted Board shall be binding upon the parties thereto.

The expenses of the members of the Conference Committee shall be borne by their respective parties. The common expenses of a conference shall be equally divided between the two parties.

Signed in duplicate.

UNITED TYPOTHETÆ OF AMERICA.

(Signed) GEORGE H. ELLIS,
WILLIAM GREEN,
E. LAWRENCE FELL,
A. R. BARNES,
T. E. DONNELLEY.

INTERNATIONAL PRINTING PRESSMEN AND ASSISTANTS' UNION OF N. A.

(Signed) MARTIN P. HIGGINS,
JOHN G. WARRINGTON,
EDWARD W. GORDON,
WILLIAM J. WEBB.

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International Paper Company's Shop Rules.

DAY WORKERS.

1. *Hours for Day Workers.*— The regular hours of service for day workers shall be from 7 A. M. to 12 noon, and from 1 P. M. to 5 P. M., six days each week.

2. *Starting and Stopping Work of Day Workers.*— Day workers shall be in their respective rooms ready to begin work at 7 A. M. and 1 P. M. Machinery shall be started promptly and not stopped until the three minutes before 12 noon and 5 P. M. A gong or bell will sound the three minute leeway. Mill racks for the day workers will be opened three minutes before the hour.

3. *Overtime of Day Workers.*— When a day worker has an unfinished task at the end of nine hours, if requested, he shall continue at work. Up to ten hours he shall receive pay at his established rate for the period worked. If he works longer than ten hours, he shall receive pay for the period worked plus one hour to cover his supper hour. (An hour's time with pay can be allowed while employee is going home for supper and returning to the mill, or if he remains on duty continuously, pay for one extra hour can be added to his day's wages.)

4. *Sunday and Holiday Work of Day Workers.*— Day workers will be allowed time and one-half for the period worked between 7 A. M. Sunday and 7 A. M. Monday, also for work upon the Fourth of July, Labor Day and Christmas.

5. *Repair Men Called at Night.*— If called at night, repair men will be allowed pay for the period worked, plus one hour to cover time consumed going to and from the mill. No repair men called at night will receive pay for less than two and one-half hours' time.

6. *Teamsters' Hours and Pay.*— Teamsters shall be on duty nine hours and shall do stable work outside of this period. They will be paid for ten hours' time, the extra hour covering the stable work.

TOUR WORKERS.

7. *Hours for Tour Workers.*— Tour workers shall be organized into three shifts and shall work eight consecutive hours upon each shift as follows:

Tour A.....From 7 A. M. to 3 P. M.
Tour B.....From 3 P. M. to 11 P. M.
Tour C.....From 11 P. M. to 7 A. M.

Shifts shall rotate in sequence weekly.

8. *Starting and Stopping Work of Tour Workers.*— When a tour begins each tour worker is required in his place. At the end of a shift, no tour worker shall leave his place to wash up and dress until his mate has changed his clothes and reported to take on the responsibility of the position. If a tour worker does not report for his regular shift, his mate shall notify his foreman. He shall then remain at his post until a substitute is secured, and, if necessary, he shall work an extra. It is the duty of a tour worker to report for his regular shift, unless he has already arranged a leave of absence with his foreman. If unavoidably prevented from reporting, he shall give his foreman sufficient notice to permit the arrangement of an extra.

9. *Overtime for Tour Workers.*— When a tour worker occupied in putting on wires and machine clothing has not completed his work at the end of his

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shift, he shall, if requested, continue at work and shall be allowed pay for period worked plus one extra hour's time to cover his supper hour. Tour employees called into the mill outside of their regular shift to assist in putting on wires and machine clothing shall be allowed pay for four hours' time.

10. *Sunday Work of Tour Workers.*— Tour workers employed in regular tour work will be paid straight time for all work between 7 A. M. Sunday and 7 A. M. Monday. Tour workers called into the mill Sunday, especially for repair work, will be allowed time and one-half for work between 7 A. M. Sunday and 7 A. M. Monday.

11. *Sending for Meals.*— No tour worker on duty shall be sent out of the mill for meals. A day worker may be sent for the dinner of a tour worker unexpectedly requested to continue on duty for an extra shift.

ALL EMPLOYEES.

12. *Rates of Pay.*— Each *Day* and *Tour* employee will be paid for the number of hours actually spent in the Company's service at the rate which is established for his occupation.

13. *Holidays.*— The Holidays of mill employees shall be the Fourth of July, Labor Day and Christmas. The shutdown of the plant in each case shall be for 24 hours, beginning at 7 A. M.

14. *Individual Responsibility.*— Everything in and about the plant shall be kept clean and in good order, and each employee will be held responsible for the condition of the part of the plant under his control.

15. *Causes for Discharge.*— The causes for immediate discharge are:

Bringing intoxicants into the mill.
Reporting for duty under the influence of liquor.
Smoking upon the Company's premises.
Destruction or removal of the Company's property.
Refusal to comply with the Company's rules.
Disobedience.
Neglect of duty.
Disorderly conduct.
Dishonesty.

16. *Whistles.*— Mill whistles will be blown as follows:

5:30 A. M., long whistle.
6:45 A. M., short whistle.
7:00 A. M., long whistle.
12:00 NOON, long whistle.
12:45 P. M., short whistle.
1:00 P. M., long whistle.
5:00 P. M., long whistle.

17. *Bulletin Boards.*— Notices shall not be posted in the mill except upon the official Bulletin Board. In each case the approval of the Superintendent must be obtained before the notice is posted.

18. *Dangerous Work.*— Employees are not expected to do dangerous work. If ordered to do so they may refuse without penalty on the ground of danger. Otherwise they must assume all risks. They must familiarize themselves with their duties and the hazards of same.

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19. *Clothing.*— Employees working upon moving machines must not wear clothing which can be readily entangled therein. Clothing not in use shall be kept in lockers provided for that purpose.

20. *Defects in Machinery.*— Employees must immediately report dangerous defects in machinery, and are forbidden to work thereon until fixed.

21. *Safeguards.*— Safeguards must not be removed except by Foreman or Superintendent. If removed, they must be immediately replaced.

22. *Elevators.*— All employees using elevators do so at their own risk. Stairs are provided for use instead.

23. *Reporting Accidents.*— Accidents must be reported at once by the injured employee and by all witnesses to the Foreman and by him to the office.

24. *Fire Service.*— In case of fire all employees must assist in preventing destruction of the Company's property. Fire apparatus must not be removed from its place or used except in case of fire or by order of Superintendent. No torches or lamps with exposed flames shall be used in any building.

January 1, 1907.

INTERNATIONAL PAPER COMPANY.

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DECISIONS OF NEW YORK COURTS.

When a Threat to Call a Strike Constitutes Extortion.

People of the State of New York v. Winsheimer, N. Y. Law Journal, Feb. 26, 1907.

On February 15, 1907, the Appellate Division of the Supreme Court, First Department, rendered a decision in which it unanimously sustained the conviction of Philip Weinsheimer of the crime of extortion, under sections 552–554 of the Penal Code, by reason of his having exercised his authority as president of a labor union, in 1903, to obtain from a plumbing contractor $1,000 in cash and $1,700 in notes, through threats of continuing a strike then on. The opinion, written by Justice Laughlin, is long and cannot be given here in full, but the omitted parts relate to technical criticisms of the trial court charges which are not of general interest.

The charge upon which the defendant was convicted is, in effect, that on the 31st day of December, 1903, he, then being president of a labor union, obtained from one George J. Essig the sum of $1,000 in money and seven promissory notes aggregating $1,700 by fear, induced by a threat made to Essig, who had a contract for the plumbing work on the Chatsworth apartment house on Seventy-second street, near Riverside Drive, owned by the Johnson-Kahn Company, that unless said sum of money and notes were delivered to the defendant work could not be resumed on the contract, the men at that time being out on a strike.

The provisions of the Penal Code, under which the indictment was found and conviction had, are sections 552, 553 and 554. Section 552 defines extortion as follows: "Extortion is the obtaining of property from another, with his consent, induced by a wrongful use of force or fear, or under color of official right." Section 553 defines "what threats may constitute extortion," so far as material to the appeal, as follows: "Fear, such as will constitute extortion, may be induced by a threat: 1. To do an unlawful injury to the person or property of the individual threatened, or to any relative of his or to any member of his family." Section 554 provides that "a person who extorts any money or other property from another, under circumstances not amounting to robbery, by means of force or a threat mentioned in the last two sections, is punishable by imprisonment not exceeding five years." Section 561 of the Penal Code, contained in the same chapter with the sections already quoted, provides that "it is immaterial whether a threat, made as specified in this chapter, is of things to be done or omitted by the offender, or by any other person."

The defendant was president of Plumbers' Local No. 2 of the City of New York, which was composed of journeymen plumbers. There was also an

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organization of master plumbers, known as the Master Plumbers' Association. There existed between the two associations an agreement by which the members obligated themselves to work for and employ only members of the respective associations. The contract for the plumbing work in this apartment house had been first let to one Rendall, who was not a member of the Master Plumbers' Association but who employed on the work about twenty-two plumbers who were members of defendant's union. George F. Johnson, who was president of the Johnson-Kahn Company, was called by The People, and testified in substance that on or about the 4th day of November, 1903, a man who called upon him professing that the object of his visit was in regard to an "advertisement in a plumbing journal," disclosed his real purpose to be to inform him that a strike was threatened on the building and to arrange a meeting between him and one Selly, as "a man who could probably help me out;" that up to this time the company had heard nothing of a threatened strike, but that he was persuaded there was something to it and arranged to meet Mr. Selly the next day; that on being introduced to Selly by the alleged canvasser the next day, Selly said he wanted to introduce him to "somebody," and without disclosing who the "somebody" was or discussing the threatened strike made an appointment for the following day, at which time he introduced him to the defendant, thereupon leaving them together in Bryant Park; that the defendant then said he was going to call a strike on the building because the owners were "lumping the job" and the contractor was not a member of the Master Plumbers' Association. It seems that the term "lumping" is used to designate a method of doing work where the contractor is only the figurehead for the owner, who purchases the material and assumes all the responsibility in connection with the contract, and the "lumper" merely furnishes the labor and acts as superintendent upon an agreed compensation for his services. Johnson further testified that he denied that the company was "lumping" the contract, and undertook to convince the defendant, who said: "Well, you know we do not have to prove that to anybody but ourselves;" that he suggested he would ask Rendall to join the association, to which the defendant replied, "Well, there is a big likelihood that he won't get in," and then said, "I can fix this matter for you, though;" whereupon the witness asked, "How can you fix it?" and the defendant said, "Well, it will cost you some money; you are making considerable out of this job, doing it the way you are, making $10,000, and you ought to give me at least $2,500;" that he informed defendant that that was out of the question and he did not think the company would give anything, but suggested that after the work was completed, if the company should have no trouble with strikes, it would make the defendant a present of $500, to which the defendant answered that that would not be cigar money for the "bunch" and that he was representing some people down town, and that his union and the boss plumbers had a working agreement, and that there was someone else who had to come in on the "divide," and upon the witness saying "All right, Mr. Weinseimer, then that ends it," the defendant said, "Well, you had better think it over and meet me here in a week," which the witness promised to do; and that during this conversation the defendant informed the witness that he was president of the union. The defendant admitted that he had an interview with Johnson at the time and place specified, but claimed that he came on Selly's invitation, who introduced

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Johnson as a subscriber who wished to talk with the defendant; that Johnson brought up the subject of the trouble and spoke of Rendall not being a member of the association and of desiring to have him join, and apparently, as an inducement to obtain the defendant's influence, manifested a willingness to give him valuable information concerning the races, and he denied that there was any talk concerning the $3,000 or $2,500, as testified to by Johnson. Johnson further testified that he met the defendant again in Bryant Park a week later and declined to submit to his demand, but renewed his offer to give him $500 if there should be no strike, to which the defendant replied that that was no proposition at all, and if the witness would make him a moderately liberal proposition he might talk business, and on parting the defendant said, "There is no need of being bad friends, when you do get in trouble up there you can call me up if you like," and he gave the witness his telephone number. The defendant admitted this meeting also, but testified that Johnson requested his assistance in getting Rendall into the association and said to defendant, "If there is any way you can arrange this matter, if you can see that this man was admitted, and there would be no trouble on the job * * * I will make you a present of $500," to which the defendant says he replied that there was nothing he could do, *but that if Johnson wanted to make him a present he could not very well stop him*, and he denies that there was any talk on this occasion about the $3,000 or $2,500. This last interview was on or about the 13th of November, and on the 16th the strike was ordered and the men left work. It is conceded, however, that the strike was duly ordered in accordance with the rules and regulations of the union. The court instructed the jury that the evidence was insufficient to warrant them in finding that the defendant "took any part improperly" in bringing it about. After the men struck, and before Essig obtained the contract, the union passed a resolution declaring that it was "the sense of this organization that the men taken out of the shop of Rendall are entitled to waiting time." The owners then entered into a contract with Essig to do the plumbing work. The contract was signed on the 21st day of December, 1903. Essig attempted to commence work the next day, but was informed by Alwater, a delegate of the union, that the men were entitled to "waiting time," which would have to be paid before they resumed their work, but Essig was permitted to do a small repair job and was allowed two men who worked on that day. The court instructed the jury that the demand for waiting time was made by order of Local No. 2, and that the defendant was not responsible therefor. On December 23 Essig saw one Finn, another delegate of the union, who also informed him that the "waiting time" would have to be paid before the work could be resumed. Essig informed the delegates that he was willing to pay the "waiting time," and wanted to know how much it was. The delegates said that they did not know, but would ascertain and inform him. Essig saw no one connected with the work from December 23 until December 28, when he met Alwater, who told him that he had been unable to find out how much the "waiting time" was or to whom it was due. Essig then asked if there was any way to get the privilege of the floor at their association, and Alwater said he would ask the president. On that evening Essig went to the meeting of the union and was introduced to the defendant, who was president, by Alwater. He was desirous of starting the work the next morning, and for the purpose of paying the waiting time he had a certified check

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in his pocket for $1,000. He asked the defendant for the privilege of the floor, which was refused, and the defendant said that he was too busy to talk with him, but to come around to his office the next day at 12 o'clock, at which time he would see him. It is undisputed that Essig and the defendant had an interview on the 29th of December. Essig testified that he met the defendant on that day pursuant to appointment, and that they went into a café and sat down in one of the booths, whereupon defendant asked to see his contract and he exhibited it to him, at the same time informing him that the job amounted to about $22,000; that he then asked defendant: "Why are you holding my men up?" to which the defendant answered: "Waiting time that is due on the job has got to be paid to the men that were pulled out on it with Rendall," to which the witness answered: "I am perfectly willing to pay them and have been," but that he did not know the amount or the names, and asked defendant for that information, to which defendant replied: "I will have the delegates find that out, but that is not in a hurry anyway;" that the witness then said: "If that is not in a hurry I would like to start the job immediately, and I will leave the check right up with you;" that the defendant then said: "Now, you ain't in the plumbing business for your health, but to make money, and I ain't running the labor end of it for the love of it, either * * * Now, you have got a $40,000 contract here, and will make about $15,000. What I want is $3,000, and if you don't give it to me you nor any other son-of-a-bitch will start that job." Later on the witness was asked: "When Weinseimer told you that unless the $3,000 were paid neither you nor any other son-of-a-bitch could go to work on that job, did you believe him?" and he answered: "I did." The witness further testified that he asked the defendant how he wanted the money, to which the defendant answered: "I will take $1,000 down; I won't take a check; they will never catch me the way they catched Mr. Parks; the balance we will settle later;" that the witness said he would think over the matter, and the defendant asked how long he wanted to think it over, and on being informed that he wanted until the following day, replied: "You meet me at my office, 95 Nassau street, between twelve and one," and gave the witness his telephone number and instructed him to telephone in case he could not come down, so that he, the defendant, would not waste his time. The defendant's version of this interview was that Essig called to assure him of the fact that he had received the contract for this work, and that it was legitimate, and to ascertain if it was satisfactory to the defendant, and was informed that the Master Plumbers' Association was the organization to decide whether the contract was right, and that his union had no grievance, except that it required that the "waiting time" should be paid, and he referred Essig to the delegates Finn and Alwater to ascertain the amount and to whom it was payable, and he denied that he made any demand for money. Essig, in rebuttal, denied the defendant's version of the interview, and further testified that he met the defendant on the 30th day of December, pursuant to the appointment; that after sending the stenographer out of the room the defendant asked him what he had decided to do, and was informed that he had decided to pay, but thought the amount was too much, and that $2,500 was enough, to which the defendant replied that he could not take $2,500; that "I have got to divide it up with other people, and the least I will take is $2,700;" that he then told defendant he would pay it, and that in answer

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to an inquiry the defendant said he would take $1,000 down and the balance in seven notes payable at Essig's shop, made out in blank with respect to the name of the payee, the first for $200, and the other six for $250 each, payable respectively on the 10th day of each successive month, and the defendant asked when he would be ready to pay the money, and was informed "at any time," whereupon defendant asked the witness to meet him at the same place the next day; that the witness then asked the defendant if he could start the job, to which the defendant replied, "No, that ain't in a hurry; you meet me at the appointed time to-morrow," which the witness promised to do. The defendant denied that he had any conversation with Essig on that day. After the interview with the defendant on the 30th of December, Essig went to the office of the company and informed the treasurer that he was to pay the defendant $1,000 in cash, and give him seven notes, and the treasurer filled out the notes in accordance with Essig's suggestions, which conformed to the directions of the defendant, and Essig signed them. Essig then surrendered to the Hamilton Bank the certified check, which, on the 28th day of December, he had drawn against the proceeds of a $1,000 check received from the owners for the purpose of paying the "waiting time," and obtained $1,000 in cash, and on the following day took the notes and cash to the defendant's office, between 12 and 1 o'clock, pursuant to the appointment, and, according to his testimony, delivered them to the defendant, who counted the money and put it in his pocket and retained it, and examined the notes and inquired the name of the witness' bank, and on being told that it was the Hamilton Bank said that he had changed his mind about having the notes payable at the witness' shop, and requested that the witness make out seven other notes payable at the Hamilton Bank, leaving the name of the payee blank as before, and said that he would have an innocent party sign them and run them through the bank, or that he might call the witness up and have him bring the money down to pay the notes which would be delivered as they fell due, to which the witness expressed assent, and then asked if he could start the work, and the defendant said, "*All right, go ahead; I will notify the delegates that everything is all right,*" and the witness answered, "All right," and departed for The Chatsworth. The defendant admitted that he had an interview with Essig on this day between 11 and 12 o'clock, but he testified that the conversation related to the "waiting time," of which Essig complained as excessive, and denies that he received the money or the notes and the conversation respecting the same. Before going to defendant's office on this day, Essig had been at the building, and says, in substance, that two members of the union were there in the morning about 9 o'clock, and five or six before 11:30, but that they did not actually begin the work until after he had paid the money to the defendant, although they were preparing to resume work before that hour, and that he had no further difficulty in starting the work satisfactorily; that he did not know who ordered the men to return to work, but that he had no talk with the delegates about the men returning to work at that time, and had not sent for them, otherwise than his conversation with the defendant. Evidence was introduced in behalf of the defendant tending to show that some of the men resumed work in the morning, but that was controverted. After the work had been resumed, and on the 4th day of January, 1904, Essig paid the "waiting time," which was upwards of $900, and he testifies that on the next day he

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saw the defendant and delivered to him seven notes in all respects the same as those first prepared, with the exception that the place of payment was changed to the Hamilton Bank, which the defendant received and retained. The seven notes originally prepared and all but the last of the second set, which was not due until August 10th, were received in evidence, as were Essig's check book and the checks. One of the notes was payable on the tenth day of each month commencing with the 10th day of February. According to the testimony of Essig, about the 11th or 12th of February, the defendant telephoned him under the name of Brown, but subsequently disclosed his identity, and asked if the witness could come down to meet the first note; that the witness replied that he would be down within a couple of days, and on the 17th day of February he drew $200 from the bank, the amount of the first note, and called upon and delivered it to the defendant, who put it in his pocket and retained it, and surrendered the note; that as each of the other notes, except the last, fell due, or within a few days thereafter, he drew from the bank $250 and delivered it to the defendant, and received the note which it paid. The paying teller of the bank corroborated Essig with respect to the respective transactions with the bank. The defendant denied that the notes were ever delivered to him, or that they were paid to him. He admitted, however, that Essig came to his office about four or five weeks after December 31st, 1903, and testified that he did not see him again prior to the 17th day of August, 1904, but he claimed that Essig's visits on those occasions were with respect to trouble that he had about "testing" on the work and with respect to obtaining cheaper help, matters which were not within the jurisdiction of the defendant. Essig, in rebuttal, denied this testimony. The defendant's stenographer testified that she saw Essig in the defendant's office two or three times between the 1st of January and the 1st of July, 1904, at intervals of four or five weeks.

The payment of the last note was not proved by the People, but was brought out by the defense on Essig's cross-examination. In connection with this fact the defense showed that there was a general strike in August; that the men on "The Chatsworth" job went out with others; quitting on August 16; that shortly prior to August 16 the defendant endeavored to telephone Essig, but was unable to get into communication with him. Essig testified that on August 17 he had conversations with the owners, with an attorney named Cohn and a representative from the district attorney's office, relative to his transactions with the defendant, and was provided with $250 in bills, some of them being marked; that from the district attorney's office he telephoned to the defendant and asked "why he pulled out my men;" that defendant denied that he pulled them out, and on being asked if he knew that they were out said that he did, and that he was trying to get the witness on the wire a couple of days, and said: "You know what the trouble is," and the witness said: "I suppose the reason you pulled them out was because I was not down with the other money," to which the defendant answered, "Yes;" that witness then asked the defendant if he could see him; that defendant said he was awful busy, but that if "I would come down in ten minutes he would give me five minutes." Essig then went down to see the defendant and the latter suggested that they go to the office of the People's Security Company (where it appears that the attorney for his union had an office), and went into a private office and had a conversation, the substance of which was that

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the defendant had learned that the district attorney was investigating his conduct in this matter and that for that reason he had destroyed the last note, but he asked for the amount of it, which the witness paid over and the defendant counted, and while he was counting it the witness coughed, as a signal, evidently, to the detectives who were supposed to be in hearing. The testimony of Essig indicates that the defendant therefore became suspicious, for he said that he was informed that Kahn, a member of the owner corporation, had been before the district attorney, and he asked if this money which Essig gave him was Kahn's money, and thereafter left the room, asking the defendant to wait a minute, and remained absent about a minute. After the defendant returned they went down stairs, and the defendant said: "You know, Essig, that under the Prince law you are just as guilty as I am." When they reached the ground floor the defendant was arrested by the detectives, but there is no evidence that any of the marked money was found on him. With respect to this interview the defendant testified in substance that it only consisted in the discussion of the reasons for the strike in August, and he denied that there was any payment of money or that they went into any private office. The testimony of other witnesses was introduced by the defense, evidently with a view to showing that Essig's story that he and the defendant went into one of the private offices was not true. The testimony of these witnesses, however, was contradicted by their own admissions or by other evidence, and it does not appear to be convincing.

The conversations had between the defendant and Johnson prior to the first strike were received under the exception and objection of the defendant that they were incompetent and immaterial. The purpose of the evidence at the time it was offered was not stated, nor was the effect of it limited by the court in its reception.

At the close of the People's case, and at the close of the evidence, counsel for defendant moved to dismiss the indictment upon the ground that the evidence was insufficient to show the commission of the crime. The motions were denied and exceptions were duly taken. These exceptions are urged as grounds for reversal. The learned counsel for the defendant contends that the language shown to have been used by the defendant did not *per se* constitute a threat to do an unlawful injury to the property of Essig, or instill fear in the mind of Essig that it would be carried into execution. We are of opinion that the evidence was sufficient to show all the material elements of the crime. The facts bring the case fairly within the doctrine of People v. Barondess (61 Hun, 571), wherein the Court of Appeals affirmed the conviction upon dissenting opinion of Justice Daniels at General Term (133 N. Y., 649), and within the case of People v. Hughes (137 N. Y., 29), which followed it. In the Barondess case the defendant was president of an association of cloak operatives. The complainant was an employer of cloak operatives who had quit work owing to a controversy over the rate of wages. As a result of negotiations, the workingmen agreed to return, but failed to do so. The complainant inquired of the defendant the reason for this and was informed that it was because they had not settled with him, and he said to them: "You have got to pay me $500 to have your people back again to work." There, as here, the defendant finally compromised by taking less than he had first demanded. In that case the defendant represented that he controlled the employees, and the complainant testified that he believed that the defend-

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ant had power to keep the men from returning to work. It was there held that an injury to one's business is an injury to property within the provisions of the Penal Code defining the crime of extortion, and that a loss resulting from the suspension or interruption of business would constitute an injury to property. It is true that in the case at bar the defendant did not expressly represent that he controlled the striking employees and the complainant did not expressly testify that he believed that the defendant would keep the men from returning to work unless his demands were acceded to. The evidence, however, fairly warranted the jury in finding those facts. All known difficulties had been adjusted and there appears to have been no reason why the men did not return to work except the influence and control exercised over them by the defendant as president of their union. The moment his unlawful demand was complied with the men resumed work and there was no further trouble until the complainant failed to pay the last note; and the defendant admitted, according to the testimony of Essig, that such failure was the reason for the strike at that time. The complainant testified in substance that he believed the defendant's threat to prevent the resumption of work until his extortionate demand was complied with. The defendant had shown his authority as president of the union and over members by peremptorily refusing to give the complainant a hearing before the union, when one of the delegates, at least, knew that the complainant was anxious to resume work and desired such hearing, with a view to presenting his grievance to the members. From the standpoint of the complainant the facts fairly justified a belief on his part that unless he paid the money and gave the notes the men would not be permitted by the defendant to return to work and that the defendant had sufficient influence over them to carry out his threat. All grievances having been adjusted, the threat of the defendant in effect to exercise his influence and control over the members of the union to prevent their returning to work on this apartment building unless the money which he wrongfully exacted was paid, constituted a threat to do an unlawful injury to the property of the complainant calculated and sufficient to instill fear in the complainant and induce him to pay the money. There is no express evidence of the damages that would have been sustained by the complainant had he, instead of complying with the defendant's request, refused his unlawful demand and permitted the defendant to execute his threat. The *amount* of damages which he would have sustained is of no consequence. It is sufficient if it appears that he would have sustained damages. It would seem that the People might have readily shown more clearly that damages would have been sustained by Essig, but we think their failure to do so does not require a reversal. It is claimed that Essig's contract with the owners for the work, which was in writing, was not in fact what it purported to be, and that the owners were themselves to furnish the material and the complainant was merely to be paid for superintending the work. Upon either theory it is manifest that he would have sustained damages. It is not to be presumed that he would have been paid for superintending work while the work was not being done. We think it presumptively appeared that the complainant, in his business, either as contractor or superintendent of building construction work, would have sustained damages had the defendant carried his unlawful threat into execution.

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The court ruled that it was immaterial whether the money which Essig delivered to the defendant was his own or that of the Johnson-Kahn Company, and ruled out evidence offered by the defendant tending to show that it belonged to the company. It may be that Essig was acting as agent of the owners in receiving the money which he subsequently delivered to the defendant, because it was originally received to pay the waiting time, but it was not material from what source it was received. The defendant wrongfully exacted money and the complainant was liable to suffer loss if he did not obtain it from some source and deliver it to the defendant. It is urged that the rulings on this subject constituted prejudicial error. According to the plain provisions of section 552 of the Penal Code, the rulings were correct. The material issue in that regard was not whose money was it, but did the defendant receive it from the complainant.

The appellant contends that it was error to receive evidence of the defendant's threat to call a strike on the building when the former contractor Rendall was doing the work. We are of opinion that the evidence was clearly competent upon the question of the intent of the defendant by the threat made to Essig to do an unlawful injury to his property. The defendant pleaded not guilty. It was essential for the People to prove every element of the crime and the intent of the defendant to do an unlawful injury to the complainant's property was one of the essential elements of the crime. His former acts in relation to this contract work characterized the threat and would tend to remove any doubt that the jurors might entertain as to his purpose of wrongfully inducing the men to remain out upon the strike without just cause. It is evident that he had determined to use his office as president of this union and his influence with the members to wrongfully exact a large amount of money, evidently based on a rough estimate made by himself of a percentage of the profits on the work as a condition of allowing the members of his union to be employed by *any* contractor or even by the owner in the completion of the work. It mattered not to him whether Rendall or Essig or some one else was the contractor. He had unlawful designs on the work and proceeded early in the history of the plumbing work to put his preconceived plan into execution. Since he threatened Johnson to call a strike on Rendall, unless his unlawful demand was satisfied, it was a reasonable inference in view of his threat to Essig that he wrongfully intended to refuse to permit the men to return to work until the like demand made upon Essig was satisfied. It is urged on the appeal that the defendant's threat to Essig was innocent and it was doubtless so argued before the jury. The fact that the defendant had recently claimed that he had sufficient influence with his union in effect to call a strike at will, because, although there may have been good ground under the rules of the union for a strike, *he assumed to be able to avert it provided he received the money which he wrongfully exacted*, tended strongly to show, in connection with other evidence, that in making the threat to Essig he intended to wrongfully exert his influence with the journeymen plumbers to induce them to refuse to return to work until he gave his consent or to wrongfully exercise his authority as president in withholding such consent. Doubtless the members of the union misjudged the defendant, for they appear to have placed implicit confidence in him and to have submitted blindly to his rule. Upon receiving the money

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and notes the defendant promised, in effect, that the men should return to work; and it is evident that the order for their return emanated from him, for there is no other explanation consistent with the testimony of Essig, which the jury doubtless believed, of how they came to return to work. The evidence of the prior attempt therefore shed light on the motive and intent of the defendant in making the threat to Essig, and indicated a preconcerted plan on his part to prevent the performance of this contract work unless he should without right or authority receive a large percentage of the profits to be arbitrarily and wrongfully exacted, and being closely connected in time and similarity of circumstances, it was competent both upon the question of motive and intent and as showing the successive steps in a preconceived plan which culminated in the crime for which the defendant has been convicted.

* * * * * * * *

Notwithstanding the denial of guilt on the part of the defendant, we are convinced by an examination of the testimony that the facts and circumstances proved clearly established his guilt beyond a reasonable doubt. We have examined the other exceptions and find no error which demands a reversal of the conviction or requires extended consideration.

By section 542 of the Code of Criminal Procedure, the Legislature has commanded that "after hearing the appeal, the court must give judgment without regard to technical errors or defects or to exceptions which do not affect the substantial rights of the parties." That command should not be lost sight of in any criminal case, and particularly in the case of a crime like this, which is a special menace to the public welfare. All controversies between capital and labor resulting in a strike injuriously affect more or less the entire community. They are sufficiently disastrous and deplorable when they result from an honest difference of opinion between the employer and the employed; but when, as here, the strike is protracted long after all grievances have been adjusted, by an officer of a labor union who betrays his trust to the fellow members of his union and in effect deprives them of their right to work until he has unlawfully extorted money from their employer for his own ends, the crime is intolerable from any point of view and should be speedily and severely punished.

It follows that the judgment should be affirmed.

Right of a Suspended Member of a Trade Union to Seek Re-instatement Through the Courts.

Bachman v. Harrington as President of Rochester Musicians' Protective Assn., Misc. 26-37.

As noted in the BULLETIN of June, 1906 (pages 206–210), the Court of Appeals in April of last year denied the right of the courts to grant a mandatory injunction requiring the Rochester Musicians' Protective Association to re-instate plaintiff as a member in good standing, on the ground that he had not exhausted his rights of appeal within the association. Subsequently he brought an action to have his expulsion declared null and void on the ground that some months after his offense the by-laws of the

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association were amended and abolished the penalty under which he had been suspended, and on the further ground that no appeal was provided in the new by-laws. The Supreme Court, at the Monroe Special Term, in November, upheld these contentions and ordered his re-instatement. Justice Dunwell, after a detailed examination of the facts, in which he notes that although the new by-laws were adopted subsequent to the commission of the offense (undercutting the union scale of prices), they were in effect at the time of the trial, concludes as follows:

"The by-laws of 1905 were in force when plaintiff was tried and, so far as the procedure regulating the trial practice was concerned, they would properly govern the case. It is conceded that no appeal is provided for by the by-laws of 1905; consequently, no appeal could be taken within the association by the plaintiff for the correction of the conviction. His only resource lies in such an action as this.

"This action, therefore, is in the nature of a collateral attack upon the conviction. But such a decision may be brought in question collaterally if the court had no jurisdiction. The executive committee had jurisdiction of this class of cases, and of the person of the plaintiff; but, as has been shown, the by-law that was violated having been repealed, it was as if such by-law had never existed, and the penalties that had been incurred, incident to the repealed by-law, perished with it.

"Hence, at the time the charges were made and the trial took place, there was no offense in existence nor any punishment that had survived. Hence the committee was without authority or power over the charge. It was without jurisdiction.

* * * * * * * *

"It will be seen from the authorities referred to that plaintiff's failure to object to the jurisdiction does not preclude him in this action.

"In Whitney v. Thomas, 23 N. Y. 281, it was held that, although assessors have the general power to assess all land in their district, yet they 'have no jurisdiction to assess except as the statute prescribes; and unless they pursue the directions of the statute, the assessment is unauthorized and void.' To the same effect is People v. Sturtevant, 9 N. Y. 263, and cases cited.

"The conclusion, then, is that plaintiff's conviction was unauthorized and a nullity; that the error was jurisdictional and may be corrected in this action; that plaintiff must be restored or recognized as a member of the association in all respects as if said conviction had not taken place; that plaintiff is entitled to a perpetual injunction enjoining and restraining the defendant from the commission of any acts against the plaintiff in any manner interfering with him inconsistent with his position as a member of the association in good standing.

"No damages were proved and none are allowed.

"Plaintiff did not, at the trial, raise the question upon which he has succeeded in this court. Had it been raised there, it might have obviated this litigation. Consequently, no costs are allowed."

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Recovery of Wages Under an Unconditional Contract of Employment.

Aaron Magida, a cutter and designer, who was thrown out of work by the burning of defendant's factory, seeks to recover wages due him under an unconditional contract. The Municipal Court of New York City dismissed the case but the Second Appellate Division of the Supreme Court reversed this decision, it being held that under an unconditional contract of employment for a fixed period the employee is entitled to recover his stipulated wages, although the building in which the defendant placed him at work burned and the work was interrupted, if there was no provision that the labor was to be performed in that particular building.— *Magida* v. *Wiesen,* 114 *App. Div.* 866.

Employers' Liability.

Under this heading are recorded all decisions of court of records under the Employers' Liability Law of 1902 or the General Labor Law; also decisions under the common law handed down by the Court of Appeals, or by the Appellate Divisions of the Supreme Court when final. Other decisions under the common law are not reported here unless special circumstances make them of unusual interest.]

As compared with the employers' liability acts of England and Massachusetts, upon which the New York act of 1902 was based, the only noteworthy innovation attempted was the section (3) relating to the doctrine of assumption of risk. This section was construed in a unanimous decision rendered by the Appellate Division, First Department, October 19, 1906, reversing a judgment of $6,250 in favor of plaintiff, the court holding that the doctrine was not eliminated by the act of 1902, which, however, did take the question of assumption of risk from the court and made it a question for the jury. Hence, when an employee has been injured by falling down the unguarded shaft of a hoisting elevator, used in the construction of a building, the absence of guards being obvious, it is error to refuse to submit to the jury the question as to whether the employee assumed the obvious risk.

The case had been before the court before, and the first decision, dealing with section 20 of the Labor Law, was summarized in the BULLETIN of March, 1906 (p. 82). The court now says, in part, that —

"prior to the passage of the Employers' Liability Act it was the law of the state that a servant assumed the obvious risks of his employment, and if it clearly appeared that the injury was the result of such obvious risk as matter of law he could not recover damages. In this state of the law the

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legislature passed chapter 600 of the Laws of 1902, which is entitled 'An act to extend and regulate the liability of employers to make compensation for personal injuries suffered by employees.' Section 3 thereof provides that

'An employee by entering upon or continuing in the service of the employer shall be presumed to have assented to the necessary risks of the occupation or employment and no others. The necessary risks of the occupation or employment shall, in all cases arising after this act takes effect, be considered as including those risks, and those only, inherent in the nature of the business which remain after the employer has exercised due care in providing for the safety of his employees, and has complied with the laws affecting or regulating such business or occupation for the greater safety of such employees. In an action maintained for the recovery of damages for personal injuries to an employee received after this act takes effect, owing to any cause for which the employer would otherwise be liable, the fact that the employee continued in the service of the employer in the same place and course of employment after the discovery by such employee, or after he had been informed of the danger of personal injury therefrom, shall not, as a matter of law, be considered as an assent by such employee to the existence or continuance of such risks of personal injury therefrom, or as negligence contributing to such injury. The question whether the employee understood and assumed the risk of such injury or was guilty of contributory negligence by his continuance in the same place and course of employment with knowledge of the risk of injury shall be one of fact, subject to the usual powers of the court in a proper case to set aside a verdict rendered contrary to the evidence.'

"It is quite apparent on careful reading of the act that the doctrine of the assumption of obvious risk has not been eliminated in an action by an employee against his employer, even if the negligence alleged be the failure to obey the strict provisions of the law as to furnishing of safeguards against injury to the employee. If that omission is obvious, the assumption of the risk is not assumed as matter of law entitling the employer to a direction by the court, but the question whether the employee understood and assumed the risk of such injury 'shall be one of fact,' and, of course, if one of fact, to be submitted to the jury. In other words, the doctrine of the assumption of obvious risks is still preserved, but the tribunal to pass upon the question whether they were assumed with knowledge and understanding is changed from the court to the jury. If the absence of the guardrail was the cause of the accident, the physical fact of its absence was as obvious to the employee as to the master or his superintendent. But the statute says the question whether the employee understood and assumed the risk caused by the failure to erect and keep the guardrail there must be submitted to the jury.

"This interpretation of the statute has the authority of the following cases: Vaughn v. Glens Falls Cement Co. (105 App. Div. 136); Di Stefeno v. Peekskill Lighting & R. R. Co. (107 id. 294); Wynkoop v. Ludlow Valve Manufacturing Co. (112 id. 729), and Reilly v. Troy Brick Co. (184 N. Y. 399), where Judge Werner said:

"'It is true that the plaintiff's intestate was there daily, and that his experience, even as an ordinary laborer, might have enabled him to anticipate the danger quite as thoroughly as his superior ought to have done, but whether he assumed that particular risk or was guilty of contributory negligence under the circumstances detailed were questions of fact for the arbitrament of a jury.'*

"Therefore, it follows that the defendants, by the refusal of the learned court to submit to the jury the question of the assumption of obvious risk as a question of fact, were deprived of a substantial right."—*Kiernan* v. *Bidlits*, 115 *App. Div.* 144.

* BULLETIN, June, 1906, p. 231.

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The Second Appellate Division in October, 1906, set aside an award of $3,000 damages in a case brought under the Employers' Liability Act, it being held that freedom from contributory negligence on the part of plaintiff was not clearly proven. The headnote of the official reporter gives the following summary:

Where an employee is injured by falling from a poorly-lighted platform after dark while in the act of picking up some boxes which he had been directed to bring from the platform, he does not establish freedom from contributory negligence by evidence of care in proceeding along the platform toward the end on which the boxes were standing, when he fails to show any care on his part while picking up the boxes after discovering their location, where it appears he knew that the side and end of the platform were unprotected and had seen wagons unloading there during the day.

A contention that the accident was caused by the fact that the platform was cut away or rounded on the corner near which the boxes were standing is mere conjecture in the absence of proof that the employee fell at that point.— *Bauer* v. *Empire State Dairy Co.*, 115 *App. Div.* 71.

The Appellate Division, Second Department, again affirmed the rule that section 3 of the Employers' Liability Act does not relieve the plaintiff from proving freedom from contributory negligence. Plaintiff, while cutting rubber from a set of rolls which were in motion, was caught and his hand injured, for which injury a jury at the Westchester County Court awarded $250 damages. In setting aside this verdict the court held that a servant, whose hand is injured while cutting away rubber which had caught between the rolls of a machine, cannot base a recovery for negligence on the failure of the master to furnish a clutch by which the rolls could have been stopped in time to prevent the injury where the servant understood the machine and the method of operation, and knew that the only way to stop it when there was rubber between the rolls was to shut off the power, for, with such knowledge, he assumed the risk of injury in attempting to fix the machine while in motion.— *Roche* v. *India Rubber, Etc., Co.*, 115 *App. Div.* 582.

ASSUMPTION OF RISK.— If a plaintiff has served a notice under the Employers' Liability Act he can not be non-suited on the ground that, with knowledge of the defendant's fault, he has by his conduct assumed the risk. A non-suit can only be granted upon two grounds: (1) That as a matter of law the defendant has not been guilty of negligence, or (2) that as a matter of law the plaintiff has been guilty of contributory negligence.

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When a switchman jumps upon a moving car in order to loosen the brake, as was the custom and as it was his duty to do, and while in the act of climbing upon the car is struck and injured by the perpendicular rod of an old-fashioned switch extending at a greater height from the ground than is usual in better models of switches in common use, the question of the defendant's negligence in providing such a switch is for the jury, and a non-suit is error.

Nor is such switchman guilty of contributory negligence as a matter of law in failing to observe such switch rod when in running to jump upon the moving car he was looking to his footing to avoid stumbling over the rails and ties.

Although facts which may justify a finding by the jury that the plaintiff assumed the risk may also constitute contributory negligence as a matter of law, conversely the defense of assumed risk may also be available, although the court can not say that the plaintiff contributed to the injury as a matter of law.— *Kinney* v. *Rutland Railroad Co.*, 114 *App. Div.* 286.

ILLEGAL EMPLOYMENT OF CHILDREN — LIABILITY FOR NEGLIGENCE.

The question whether violation of section 70 of the Labor Law (prohibiting the employment, in factories, of children under the age of fourteen years) makes the employer liable for damages in case such a child sustains injuries in the course of his employment has several times been before the courts. Four years ago in the case of Marino v. Lehmaier (173 N. Y. 530; LABOR BULLETIN, March, 1903, p. 32) the Court of Appeals held that infraction of the law constituted "some evidence" of negligence, since the statute in effect declares that a child under that age presumably does not possess the judgment, discretion, care and caution necessary for the engagement in such a dangerous vocation, and therefore is not as a matter of law chargeable with contributory negligence or with having assumed the risks of the employment.*

The uncertainty inhering in the terms "some evidence" was discussed by Justice Gaynor in an opinion rendered in May, 1905 (Lee v. Sterling Silk Mfg. Co., 47 Misc. 182; BULLETIN, December, 1905, p. 442), in which he sustained the ruling of the trial court, that by reason of the statute the questions of the plaintiff's contributory negligence and assumption of the risk of employment could not enter into the case. From his decision an appeal was taken which led to its reversal by a unanimous decision of the Second Appellate Division, in November, 1906, the

*See, however, later decisions of the Appellate Division in Sitts v. Waiontha (94 App Div. 38), and Dragotto v. Plunkett (113 App. Div. 648).

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court holding that it was error to exclude evidence of negligence and contributory negligence; that while proof of violation of a statute is evidence of negligence, it is not always such conclusive evidence as to exclude proof tending to absolve the defendant. The opinion of Justice Jenks is, in part, as follows:

"The court left nothing to the jury save an assessment of the damages [the verdict was for $2,000] and the appeal is by the defendant. * * *

"I am of the opinion that the learned court erred in excluding all testimony which bore upon the question of contributory negligence and in holding that as matter of law the question could not be in the case. The reason is that this action is subject to the rules of common law. (Caswell v. Worth, 5 El. & Bl. 849; approved and the doctrine reiterated in Knisley v. Pratt, 148 N. Y. 372.) Section 70 of the Labor Law does not in terms declare and regulate a statutory cause of action and, of course, does not in terms exclude the doctrine of contributory negligence. Some of the authorities which sustain my opinion that the doctrine of contributory negligence has place in such an action are McRickard v. Flint (114 N. Y. 222); Freeman v. Glens Falls Paper Mill Co. (70 Hun, 530; affd., 142 N. Y. 639); Queen v. Dayton Coal Co. (95 Tenn. 458); Kutchera v. Goodwillie (93 Wis. 448). (See, too, Thomp. Neg. [2d ed.] § 5360.) And so in Marino v. Lehmaier (173 N. Y. 530), a case which involved this statute, the court say:

"'And, to our minds, the statute, in effect, declares that a child under the age specified presumably does not possess the judgment, discretion, care and caution necessary for the engagement in such a dangerous avocation, and is, therefore, not, as a matter of law, chargeable with contributory negligence or with having assumed the risks of the employment in such occupation. * * * We, therefore, conclude that under the evidence and the principle of these authorities, at least, a question of fact was presented for the determination of the jury, and in case it should be found that the defendant was negligent and the plaintiff, under the circumstances, was not chargeable with contributory negligence, the defendant was civilly liable.'

"I think this position taken by the learned trial court requires the reversal of the judgment.

"I think that under the rule in this state the fact that the employment of one of the servant's years was in violation of the statute did not establish conclusively the negligence of the defendant. The question was discussed in Marino v. Lehmaier (*supra*). If I do not mistake, the ground of difference is this: The majority of the court thought that but for a violation of the statute in the employment of the lad the injury could not have happened, and hence it was concluded that the jury 'should be permitted to consider the violation of the statute, in connection with the other facts, as evidence tending to show negligence on the part of defendant.' (See opinion of Parker, Ch. J., at pp. 538, 539.) The minority thought that the mere employment of the lad, although in violation of the Labor Law, was not any proof of actionable negligence. (See pp. 540 and 547.)

"If I read the decisions correctly, proof of the violation of a statute or ordinance is evidence of negligence. Under the circumstances of a case it may be sufficient evidence; it may be conclusive evidence, but it is not absolutely conclusive evidence in every case so as to exclude proof tending to absolve the defendant. (Knupfle v. Knickerbocker Ice Co., 84 N. Y. 488;

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McGrath v. N. Y. C. & H. R. R. R. Co., 63 N. Y. 522; McRickard v. Flint, *supra;* Donnelly v. City of Rochester, 166 N. Y. 315. See, too, Finnegan v. Winslow Skate Mfg. Co., 189 Mass. 580, and authorities cited.) The learned trial court criticises that expression of the rule that a violation of the statute is 'some evidence' of negligence. 'Some' may mean indefinite or indeterminate as opposed to definite or determinate. In other words, the violation is not determinate proof of negligence. The origin of the expression is probably in the language of the charge reviewed in Beisegel v. New York Central R. R. Co. (14 Abb. Pr. [N. S.] 29–34). It was repeated and adopted in Knupfle v. Knickerbocker Ice Co. (*supra*), and it has been frequently used. I find so accurate a writer as the present Chief Judge writes in Donnelly v. City of Rochester (*supra*): 'Though a violation of the ordinance is not negligence *per se*, it is some evidence of negligence' (p. 319).

"This rule has been the subject of criticism, e. g., Thompson on Negligence ([2d ed.] § 11); Labatt on Master and Servant (§ 799), while courts in other states have held that proof of violation is conclusive evidence. The quarrel with the rule sometimes rests upon the proposition that it clothes a jury with the dispensing power. This is the ground of Judge Thompson's criticism. (Thomp. Neg. [2d ed.] § 11.) But it is to be observed that e. g. this statute, section 70 of the Labor Law, does not declare liability in damages consequent upon its violation; does not specifically provide a statutory right of action and regulate it, so that the violator of the statute must perforce of the violation respond in damages. Nor does it declare that the violation should be conclusive evidence of negligence. It seems to me that the fact that the maxim *ubi jus ibi remedium* may authorize an action does not warrant the conclusion that liability in such an action as the one at bar is conclusively established by proof of the violation of the *jus*. Even if we thought otherwise, it is not for us to set up another rule. Recantation or substitution is the prerogative of the Court of Appeals alone.

"In the case under review I have shown that the plaintiff did not declare solely upon a violation of section 70 of the Labor Law; his proof was not confined to the proposition that the lad was under fourteen, employed in a factory and was injured while so employed. In other words, the proposition of liability did not rest upon the naked violation of the statute. I am of opinion that the judgment must be reversed and a new trial ordered, costs to abide the event."—*Lee* v. *Sterling Silk Mfg.*, 115 *App. Div.* 589.

SECTION 18 OF THE LABOR LAW.

This section, derived from a statute of 1885 known as the Life and Limb Law, imposes upon employers the duty of furnishing safe scaffolding for the use of workmen doing construction work. In a recent negligence case, the employer sued appealed from the judgment of the trial court, on the ground that the plaintiff's complaint failed to allege violation of the statute, but the Appellate Division, Second Department, unanimously affirmed judg-

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ment November 16, 1906, in the following opinion by Justice Gaynor:

"The plaintiff was hurt by the fall of a scaffold erected by the defendant, his employer, for the plaintiff to work on. Counsel for the defendant argues that the complaint was insufficient to enable the plaintiff to recover for the furnishing of an unsafe scaffold, which section 18 of the Labor Law forbids, because it did not plead the said statute and allege a violation of it. It was not necessary to do so. The complaint alleged that the scaffold was of unsafe material and also unsafely constructed, and that sufficed. That the liability of the employer is created or enlarged by statute does not make the action a statutory one. The effect of the statute is to make the negligence of fellow-servants in the making of a scaffold that of the master, and thus enable the negligence of the master to be proved by evidence which formerly did not prove it. It is enough now as formerly for the complaint to allege the negligence of the master. The difference is that evidence which formerly did not prove his negligence now does (Harris v. Baltimore Machine & Elevator Co., 112 App. Div. 389). The judgment should be affirmed."— *Riley* v. *McNulty*, 115 *App. Div.* 650.

A mason's helper was killed by the falling of an elevator which, at the direction of defendant, was being used as a scaffold. An action brought under section 18 of the Labor Law was dismissed, but the First Appellate Division in November, 1906, reversed this decision. The prevailing opinion, written by Justice O'Brien, is, in part, as follows:

"As the elevator could be set in motion from any one of the four floors of the building by simply pulling a rope, it was not, I think, a safe and proper scaffold within the contemplation of the above statute, even though it be admitted that it was in sound condition as an elevator and that, while at rest, it was suitable for the use to which it was put, because, unless the power were shut off, it was liable to be moved. Nor was the arrangement made by the defendant with the superintendent of the building for its exclusive use, to which defendant testified, but which it was established was not observed, a sufficient discharge of the duty imposed upon the defendant by the statute. It was unsuitable, as a scaffold, by reason of its mobility, and this was the immediate cause of the accident. It was not essential to the plaintiff's cause of action to show the cause of the sudden starting of the elevator; her case was established by showing that the scaffold, as such, was defective or improper and that the accident resulted therefrom."— *Croce* v. *Buckley*, 115 *App. Div.* 354.

DECISIONS UNDER THE COMMON LAW.

While employed in defendant's bookbindery, plaintiff was injured through an alleged defect in a press. Damages were

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awarded by the trial court and the award was unanimously affirmed by the Appellate Division of the Supreme Court. The Court of Appeals, however, on January 8, 1907, unanimously reversed the decision. The official reporter summarizes the case as follows:

1. NEGLIGENCE — LIABILITY OF MASTER FOR DEFECTIVE MACHINE. Where in an action by an employee to recover damages for injuries received while using a machine, it appears that the accident resulted from a bolt dropping out of place by reason of the falling off of a nut; that this had happened on several prior occasions to the knowledge of the plaintiff; that the nut had been tightened on the morning of the accident; that the trial court charged that no recovery could stand against the defendant because he used a defective machine and that his only duty in respect thereto, so far as plaintiff was concerned, was to repair it, that is, to replace the bolt from time to time as it dropped out, it is reversible error to refuse to charge that before imposing any liability upon the defendant for failure to tighten the nut, the jury must find that the defendant had notice, or by reasonable care could have obtained knowledge that the nut had become loose again after being tightened in the morning.

2. EVIDENCE — IMPEACHMENT OF WITNESS. Statements alleged to have been made by a witness on several occasions after the accident, contradictory of his testimony on the trial, are improperly received in evidence where it appears that his attention had been called to these occasions in such a vague manner as to render it doubtful whether or not he understood which one of the occasions he was interrogated about, and hence no foundation was laid for their admission.

3. EVIDENCE OF REPAIRS TO MACHINE AFTER ACCIDENT INCOMPETENT. The reception of evidence that such witness had said after the accident "the press was now fixed all right" also constitutes error.

4. EVIDENCE THAT WITNESS WAS NEARLY INJURED BY THE MACHINE WHICH INJURED PLAINTIFF INCOMPETENT. The reception of evidence that such witness had said "that he came near losing both of his hands in the morning," is erroneous where such evidence was not limited to proof that he had been caught, or had said that he had been nearly caught by the machine under the same circumstances alleged to have prevailed when plaintiff met his accident.

5. IMPROPRIETY OF REMARKS OF COUNSEL AS TO DEFENDANT'S INSURANCE AGAINST LIABILITY. Remarks of counsel in summing up, to the effect that there was "no evidence that he (the defendant) was insured, most of these people are," and again, "many people get insured, but there is no evidence of any such thing in this case at all," duly objected to, were entirely improper.— *Loughlin* v. *Brassil*, 187 *N. Y. Rep.* 128.

The Second Appellate Division on July 24, 1906, unanimously reversed the judgment of the Kings County trial court granting a nonsuit in the under-mentioned case. The opinion, by Presiding Justice Hirschberg, is as follows:

This action is brought to recover damages for personal injuries alleged to have been sustained by the plaintiff while in the employ of the defendant.

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The plaintiff was working at the time of his injury on a rip-saw machine, a circular saw which came up through a slit in the top of a flat table and revolved toward the plaintiff's hands. He was serving it with thin boards, and claims that his injury was received by reason of the fact that the saw had worn away the slit to such an extent as to render the operation of the machine dangerous. As he was non-suited, every reasonable inference is to be taken in his favor, and as no evidence was offered by or on behalf of the defendant, the facts as established by the plaintiff's evidence were uncontradicted. It was clearly proved that a couple of days before the day of his injury he became apprehensive that his fingers might get caught in the hole which had been worn away by the operation of the saw and the attrition of the sawdust, and that an accident might result; that the attention of the defendant's superintendent was called to the condition of the table; that the superintendent admitted that it required to be fixed, promised to have it fixed pretty soon, and instructed the plaintiff to continue work in the meantime. The plaintiff did continue work pursuant to such instruction and promise, and by the accident lost the fingers of the left hand.

I do not see how the non-suit can be upheld. In Citrone v. O'Rourke Engineering Construction Co. (113 App. Div. 518) this court recently held that where on the complaint of a servant as to the safety of the place where he was at work, the master told him to go to work and that after a certain time it would be repaired, the master assumed the risk of injury from the time of the promise until the expiration of the time specified. Following that decision it would be, in this case at least, a question for the jury whether it was negligence on the part of the plaintiff to continue work for a period of two days in reliance upon a promise to repair "pretty soon."

The non-suit in this case, however, was distinctly based upon a ground which is clearly untenable. In disposing of the defendant's motion to dismiss the complaint, the learned trial justice said: "There is nothing in the case to show that any one would apprehend danger from that machine in the condition it was in. I must grant this motion." It certainly can not be logically contended that a situation which, without dispute, did occasion fear of danger on the part of the plaintiff, which fear was admitted by the defendant's superintendent to be well grounded, and which admission was coupled with a promise to speedily remove the danger, is a situation which would not occasion apprehension to any one.

The judgment should be reversed.— *Tannhauser* v. *Uptegrove*, 114 *App. Div.* 765.

In the case of the death of an employee of the elevated railway company, brought about by the collision of a truck with the scaffold on which he was working, the trial court originally awarded damages to his administratrix. The Appellate Division set aside the judgment and ordered a new trial (BULLETIN, June, 1905, p. 208), which resulted in the dismissal of the complaint by direction of the court. On a second appeal the First Appellate Division in November, 1906, unanimously reversed this judgment and ordered a retrial, mainly on the ground that it should have been

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left to the jury to say whether the master was negligent in not furnishing a watchman to give notice to vehicle drivers of the presence of the scaffold.— *Sheridan* v. *Interborough Rapid Transit Co.*, 115 *App. Div.* 282.

A machine oiler injured in the works of the New York Glucose Co. obtained a verdict of $22,000 damages. This award was set aside, however, by the Second Appellate Division of the Supreme Court in July, 1906, and a new trial granted. Plaintiff was engaged in oiling shafting and was standing on a ladder, the foot of which rested on a two-rail tramway. A car pushed by three fellow-servants of plaintiff struck the ladder knocking him to the ground. These fellow-servants were foreigners unable to understand English and when called upon to stop they paid no heed. It was held, however, that it was not negligence to employ servants who could not understand English, for the master was not bound to anticipate an accident from such lack of knowledge of the English language and, moreover, the fellow-servants might have been equally negligent had they known the language.— *Date* v. *New York Glucose Co.*, 114 *App. Div.* 789.

SELF-EVIDENT RISK — DUTY OF EMPLOYER TO GIVE INSTRUCTIONS.— The plaintiff, employed for some time in running a buttonhole machine, after splicing the driving belt under the machine, was struck in the eye and injured by the end of the belt which broke after the repair. The plaintiff was familiar with the method of splicing the belt, and there was no special risk except the remote chance of being struck in the eye if the belt broke, which risk was apparent without instructions.

Held, that it was not incumbent on the master to give instructions as to such self-evident risk, and that a verdict founded on his negligence in that respect was unwarranted.— *Radley* v. *Shopiro*, 114 *App. Div.* 659.

RULES TO PROTECT REPAIR GANG ON RAILWAY TRACKS.— A recovery for an injury to a member of a repair gang on a railroad, who was struck by a "shunted" car while he was picking up coal from the tracks, can not be based upon a finding that the railroad company was negligent in failing to promulgate and enforce some rule to protect the repair gang from such an accident where no expert evidence is introduced in relation to the custom in other yards or the efficiency of any proposed rule, for, as the men of the gang were generally scattered over the yards, the necessity of such a rule is not so obvious as to make the matter one of common knowledge and experience.— *Kascsak* v. *Central Railroad Co. of N. J.*, 115 *App. Div.* 632.

LOOSE LEVER NOT UNSAFE MACHINERY.— An employee operating a printing press who is so startled by the noise caused by the "throw off" lever flying back and striking against another part of the machine, that he involuntarily thrusts his hand into the machinery, can not recover for the injury, although

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he has warned the foreman a month before that the lever was loose, where it appears that the press was of a kind in common use and that the lever had never kicked back before; for, although the looseness of the lever may have impaired the efficiency of the machine, it did not render it unsafe, and the accident being the result of the nervousness of the servant, was of such a nature that it could not reasonably have been anticipated by the employer.— *Creswell* v. *United Shirt & Collar Co.*, 115 *App. Div.* 12.

SUPERINTENDENT A FELLOW-SERVANT.— A saleswoman can not recover for an injury from the fall of an elevator in a department store in which she was employed, although she was directed to enter the elevator by an assistant superintendent of the store when the elevator already held the number to which its capacity was limited, for the negligence of such superintendent was that of a fellow-servant.

The fact that the actual working hours were over and the saleswoman was going to the top floor to resume her street clothes, did not end the relation of master and servant and make the defendant liable as a carrier, for the dressing was incident to the employment and the time thereof was of the time of such employment.— *McDonald* v. *Simpson-Crawford Co.*, 114 *App. Div.* 859.

Where a conductor who has been injured while following a disabled car with the trolley rope in his hand testifies that the motorman shot the car ahead into the repair barn which was dark; that the rope twisted around his hand and that the trolley pole came off and, flying up, lifted him and carried him forward so that he fell into a pit between the tracks, a recovery can not be based upon the fact that the pit was a dangerous place, of the presence of which the conductor was not warned, for the conduct of the motorman, a fellow-servant, was the proximate cause of the accident. It can not be said that the company could have foreseen that in such a situation a motorman might so manage a car as to cause an accident of this character.— *Duefer* v. *Brooklyn Heights R. R. Co.*, 115 *App. Div.* 670.

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HOURS OF LABOR OF WOMEN AND GIRLS IN FACTORIES.

The following special report of Deputy Factory Inspector Flanagan on the subject of the hours of labor of women in factories is of sufficient interest to deserve publication. It relates particularly to conditions in his inspection district in the Borough of Manhattan, New York City, which extends for varying distances on both sides of Broadway from Chambers street to Fourteenth street, and therefore includes the drygoods quarter. The phases of this subject which characterize the lowest grade of sweat-shops, more common on the East Side and farther west, are comparatively little touched upon, and dressmakers' establishments and workrooms for altering and finishing, conducted in connection with retail stores, in which excessive and compulsory overtime is most common and difficult to prevent, are almost unknown in his district, and therefore are not mentioned in his report. Consequently that report does not cover all phases of the subject.

To the Commissioner of Labor.

DEAR SIR: In compliance with your direction I submit herewith a brief statement of what I believe to be the most material facts relative to the hours of labor of women in the factories situated within the districts in which I have worked during the past two years.

In the majority of the factories where females are employed, the regular hours are from 53 to 56 per week, which permits them to work overtime from one to three nights a week, for a few hours per night, without exceeding the limitation of 60 hours per week imposed by the Labor Law.

In my opinion the hours of labor of females in factories tend to regulate themselves naturally; for when they are extended beyond the period which yields the largest proportionate return for the amount of time paid for, the employers suffer. The supply of females available for factory work has for some time past been far short of the demand. For this reason employers are more careful of their help, knowing that they can not be replaced if lost. Although the impression prevails that employers force their female employees to work overtime in order to avoid the necessity of procuring additional hands, the facts do not justify any such impression. I know that many employers are willing to pay bonuses for procuring extra female hands, and that in several instances they have offered to pay as high as $5.00 per person for the kind of help they wanted. In these cases the help required was skilled or partly skilled, but the same conditions exist as to unskilled help, although in a lesser degree. Thus in the case of a factory on Reade street where the only work by females was to pack the meats of walnuts, figs, dates, etc., the proprietor after advertising without result, offered his employees $1.00 for each

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additional female they could bring to work. But this did not procure the help needed to fill his orders.

Save under certain exceptional conditions and especially in the higher grades of work an employer operates to his own disadvantage if he does not conform to the prevailing hours and wages. Some time ago the manager of a large blank-book plant wrote asking me for fresh blank forms for posting the hours of labor in his factory, and when I called at his place, told me that his company had for purely business reasons reduced the daily hours from nine and one-half to nine, because although figures would indicate that with the 120 persons then employed they ought to produce as much in a 9½ hour day as could be produced by 126 persons in a nine-hour day, yet the facts were that their best and most skilled workers would not remain in their employ, and that with the kind that were left the production was not as great as in plants employing the same number of persons and working only nine hours a day.

Overtime is costly, because some higher rate of wages must usually be paid for it, such as time and a half or double time pay to time workers, or ten percent additional to piece workers. Consequently articles made when overtime is worked cost more to produce but are sold for the same price as articles produced with regular hours. Therefore manufacturers try to avoid overtime or resort to it as seldom as possible. In one large factory in White street in which there are 300 employees, about one-half of whom are females, the proprietor explained to me that he would not work overtime because he had tested its value by keeping a record of the production of his plant for two weeks with overtime and for two weeks without, with the result that during the two weeks in which overtime was worked his factory had produced $51.00 worth more of goods than had been produced in the two weeks without overtime, but this production had cost him $850.00 more in wages without counting the additional expenses of light and power. As soon as he discovered this result he cancelled all orders that he could not fill without working overtime. The proprietors in many other factories have made similar statements, but could not give figures as their productions not being staple or being of too great a variety, the results could not be compared; but they gave it as their opinion that after overtime had been worked for a few nights their employees had become listless, and did not produce the quantity or quality which could be produced in the same number of hours when worked regularly.

But even where there is no overtime, employers often are unable to fix the worktime of their female employees within specified hours, as required by the Labor Law. In some lines of industry, such as umbrella factories, the employer can not get his female help to start work at any regular hour. The usual time set for starting is eight o'clock, but employers and employees unite in stating that very little work is done in the branches in which females are employed before 8:30 to 9 o'clock. And I myself have seen the women during the busy season come to work in these factories between 9 and 10 o'clock, the employers stating that they dare not rebuke them for tardiness for fear they would quit. In my opinion so great is the demand for female operatives in excess of the supply in this industry, that in many of these factories the women, who are piece workers, come and go absolutely at will.

In almost every line of manufacture in which articles are made to suit a

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particular season or subject to the changes of fashions, there is habitually some overtime; but in the higher grades the regular hours for females are generally less than 60 per week, and thus there is some margin left for occasional or seasonal overtime without exceeding the 60-hour limit. The fur clothing manufacturers have from four to six months with little or no work, and from four to six months at full capacity. Overtime with them is largely due to the fact that the skins are costly and if made up into stock during the slack season might not suit the demand, and would consequently be lost. The cloak and suit trade has two rush seasons, Spring and Fall, which last from six to eight months each year. The rest of the time is slack. The slack seasons are due to the fact that patterns or fashions are not yet determined, and therefore goods can not be made up into stock in advance. Some factories in this trade are operated only during regular hours, but permit many of their employees to take work home with them, thus creating a condition which is about as bad as overtime, and much harder to regulate.

In the artifical flower industry, the season is very short, starting about January and lasting until April. While the articles produced each year would appear to be much the same, yet in fact they differ to such an extent that no manufacturer can make stock until he knows what particular kinds of flowers will be in demand. When the orders do come in, the time is generally so short that he must work overtime to fill them.

In the candy trade there is much overtime in the Fall and early Winter every year, and more particularly in those factories which make a high grade of product, which I understand is perishable and if manufactured in advance would deteriorate.

Female help can be divided into two general classes, native and foreign born. Native born women when employed in factories are usually found producing the best finished articles, receiving the highest pay, and work regular hours of from eight and one-half to nine per day. Foreign born women are generally employed in factories producing the cheaper grade of articles, get less pay, and work from nine to ten hours per day. There is therefore little margin for overtime without exceeding the legal limit. Both employers and employees in factories where foreign born help predominate care little for regular hours, work overtime frequently, and generally unite in opposition to and in the evasion of any law which restricts their hours of labor. In the majority of factories where I found overtime being worked by females to any excess, I found that they were all or nearly all foreign born.

The provision of the Labor Law prohibiting work in excess of ten hours a day, "except to make a shorter day on the last day of the week," is generally disregarded, especially in those factories in which the eight and nine-hour day prevail. For these factories do not change their regular hours in emergencies, but instead work two or three hours additional on two or three evenings a week, and on each of such long days work to exceed ten hours, without in return shortening the last day of the week. And in some industries when one day is shortened it is not the last day of the week but some other day. The practice of continuing the regular work-day and bunching the overtime in a few days is preferred by employees and in my judgment is preferable to lengthening the regular day. It is, however, unlawful. But in conformity with your orders I have temporarily ignored this point in order to concentrate my efforts upon enforcing the sixty-hour a week rule.

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In the enforcement of this rule the plan of detecting its violation by patroling for night work is, in my district, in my opinion, generally unsatisfactory, on account of the fact that a very large percentage of the factories are in lofts of tall buildings. The indication of work which is sought for is the appearance of light in the windows. Where it is noticed, entrance into the building is often difficult, and, that being gained, it may require a climb of as many as eight or nine stories to make an investigation. The result is generally to find only a book-keeper or one or two more employees finishing some fag ends of work. Only a few such inspections can be made in an evening, and after many evenings of such work I have not yet found in that way a single material violation of the law.

I am satisfied from many indications that in the class of factories which prevail in my district, overtime (either legal or illegal) is resorted to much less frequently than is generally supposed and than was formerly the custom, although the industrial pressure for long hours is stronger than ever.

Respectfully submitted,

(Signed) M. J. FLANAGAN,
Deputy Factory Inspector.

WAGES OF STRAW-BRAID SEWERS.

The scarcity of labor mentioned in the inspector's report pertains more particularly to skilled work, where high wages and bonuses have been inadequate to secure a sufficient number of workers. The supply of unskilled workers in the immense clothing trade of the East Side has apparently been ample enough to meet the needs of employers, for wages have risen but slightly in the industry as a whole. It does not, therefore, need to be emphasized that the following figures, copied from the pay-roll of a straw-hat manufacturer in the center of the city, near Broadway, are not typical of the earnings of the average seamstress:

	Week ending Jan. 14, 1907.	Week ending Jan. 21, 1907.
W.	$19.62	$14.76
H. T.	33.12	36.84
T. S.	16.30	11.20
B. R.	23.28	23.76
S. R.	33.40	25.92
H. R.	21.00	29.30
R. K.	29.16	36.90
R. K.	34.35	36.24
J.	10.50	11.40
K. H.	23.76	21.60
H.	22.83	22.22
Mrs. G.	16.00	18.80
L. G.	24.48	25.81
Mrs. F.	20.60	23.96
D.	17.00	26.00

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	Week ending Jan. 14, 1907.	Week ending Jan. 21, 1707.
C.	20.50	20.50
S. B.	14.00	18.80
C. A.	22.80	26.00
H.	30.00	30.00

H. is employed steadily at $30 per week.

B. R., No. 4 on list, is a religious Jewess and works only 5 days per week.

Mrs. G. is a married woman with a sick husband and has three small children who go to school. She does not appear for work earlier than 10:30 A. M. each day, explaining that she cannot get to work until children are sent to school.

Hour for starting work is supposed to be 8 A. M.; time recorded runs from 8:30 to 10:30 A. M., and with overtime three nights per week no one female works more than 56 hours per week.

The firm quoted states that their active season for straw sewers is now fully eight months a year; other firms report a season of three and one-half to six months. The inspector's opinion as to the duration of employment in the straw-hat trade is as follows:

"My estimate, based on various statements of persons engaged in manufacturing ladies' and children's straw hats, is that about 2,000 females are employed at the occupation (in the lower portion of Manhatten Borough) during the busiest part of the season, which is from January 15 to May 15. Fifteen percent of these persons find work at straw sewing all the year and earn $35 per week, $18 per week and $12 per week for each four months in the year. Sixty percent work at straw sewing for four months at $20 per week and assist at trimming felt hats for another four months at $12 per week and have to find some employment outside of the hat trade for four months, but would be estimated to be employed at from $6 to $8 per week at tucking or hemming. Twenty-five percent are married women who find it profitable to give all or part of their time during the four busy months and earn about $22 per week for four months, returning to home duties until next spring.

"I call to your attention an advertisement appearing in the *New York World* of January 30, asking for straw sewers who are capable of earning $30 to $35 per week. Their [the employers'] arguments are that if one operator can make $25 to $36 per week she is more valuable, because with the space and power of one machine she can produce so much more work for her employer."

Proposed Changes in the Law Restricting the Hours of Labor of Women and Children Employed in Factories.

The report of the Commissioner of Labor, transmitted to the Legislature on the second day of January, contains (page 62) the draft of a bill amending sections 77 and 78 of the Labor Law and designed to make the law more enforceable, as explained in the text of the report. The bill, as elaborated and introduced in the Assembly January 10th (Prentice bill, No. 79), contains some additions (subdivisions 5 and 6 of section 77, and subdivisions 2 and 3 of section 78) and is, therefore, reprinted below:

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STATE OF NEW YORK.
No. 79. Int. 79.
IN ASSEMBLY,
January 10, 1907.

Introduced by Mr. PRENTICE—read once and referred to the Committee on Labor and Industries.

AN ACT

To amend the labor law relative to hours of labor of children, minors and women.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Sections seventy-seven and seventy-eight of chapter four hundred and fifteen of the laws of eighteen hundred and ninety-seven, entitled "An act in relation to labor, constituting chapter thirty-two of the general laws," as amended by chapter one hundred and ninety-two of the laws of eighteen hundred and ninety-nine and chapter one hundred and eighty-four of the laws of nineteen hundred and three, are hereby amended to read as follows:

§ 77. Hours of labor of *children*, minors and women. *Subd.* 1. No *child* [minor] under the age of sixteen years shall be employed [,] *or* permitted [or suffered] to work in *or in connection with* any factory in this state before six o'clock in the morning, or after seven o'clock in the evening of any day, or for more than *eight* [nine] hours in any one day, *or more than six days in any one week.*

Subd. 2. No *male* minor under the age of eighteen years [,] *shall be employed or permitted to work in any factory in this state more than six days in any one week, or for more than sixty hours in any one week.* [and no]

Subd. 3. *No* female *minor under the age of twenty-one years and no woman* shall be employed [,] *or permitted* [or suffered] to work in any factory in this state before six o'clock in the morning or after nine o'clock in the evening of any day, *or more than six days or fifty-eight hours in any one week*, or for more than ten hours in any one day, except *as hereafter provided.* [to make a shorter day on the last day of the week; or for more than sixty hours in any one week, or more hours in any one week than will make an average of ten hours per day for the whole number of days so worked.]

Subd. 4. A printed notice, in a form which shall be prescribed and furnished by the commissioner of labor, stating the number of hours per day for each day of the week required of such persons, and the time when such work shall begin and end, shall be kept poste in a conspicuous place in each room where they are employed. But such persons may begin their work after the time for beginning and stop before the time for ending such work, mentioned in such notice, but they shall not otherwise be employed, permitted or suffered to work in such factory except as stated therein. The terms of such notice shall not be changed after the beginning of labor on the first day of the week without the consent of the commissioner of labor. The presence of such persons [at work] in a factory at any other hours than those stated in the printed notice, *or if no such notice be posted, before seven o'clock in the morning or after six o'clock in the evening*, shall constitute prima facie evidence of a violation of this section [of the law].

Subd. 5. *In a factory wherein, owing to the nature of the work, it is practically impossible to fix the hours of labor weekly in advance the commissioner of labor, upon a proper application stating facts showing the necessity therefor, shall grant a permit dispensing with the notice hereinbefore required, upon condition that a time book in a form to be approved by him, giving the names and addresses of all female employees and the hours worked by each of them in each day, shall be properly and correctly kept, and shall be exhibited to him or any of his subordinates promptly upon demand. Such permit shall be kept posted in such place in such factory as such commissioner may prescribe, and may be revoked by such commissioner at any time for failure to post it or to keep or exhibit such time book as herein provided.*

Subd. 6. *Where a female is employed in several factories or mercantile establishments in the same day or week the total time of employment must not exceed that allowed per day or week in a single factory or mercantile establishment; and any person who shall require or permit a female to work in a factory between the hours of six o'clock in the evening and seven o clock in the morning in violation of the provisions of this subdivision of this section, with or without knowledge of the previous or other employment, shall be liable for a violation thereof.*

§ 78. *Subdivision* 1. *Overtime by females; exceptions.—A female eighteen years of age or upwards may be employed in a factory more than ten hours a day;—(a) regularly in not to exceed five days a week, in order to make a short day or a holiday on one of the six working days*

EXPLANATION—Matter *in italics* is new; matter in brackets [ ] is old law to be omitted.

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of the week; (b) irregularly in not to exceed three days a week, as overtime after a regular eight or nine hour workday; provided that no such female shall be required or permitted to work more than fifty-eight hours in any one week or twelve hours in any one day, and that the provisions of the preceding section as to notice or time book be fully complied with.

[Change of hours of labor of minors and women.—When in order to make a shorter work day on the last day of the week, a minor over sixteen and under eighteen years of age, or a female sixteen years of age or upwards, is to be required or permitted to work in a factory more than ten hours in a day, the employer of such persons shall notify the commissioner of labor in writing, of such intention, stating the number of hours of labor per day, which it is proposed to require or permit, and the time when it is proposed to cease such requirement or permission; a similar notification shall be made when such requirement or permission has actually ceased. A record of the names of the employees thus required or permitted to work overtime, with the amount of such overtime, and the days upon which shuc work was performed, shall be kept in the office of such factory, and produced upon the demand of the commissioner of labor.]

Subd. 2. *Females eighteen years of age or upwards, regularly employed in a factory in the manufacture of perishable seasonal products or of products from perishable seasonal materials, may be permitted to work sixty-six hours a week in not more than six weeks in a year but not to exceed twelve hours in any one day, provided however that a permit therefor shall first be obtained from the commissioner of labor and shall be kept posted in such place in such factory as the said commissioner may prescribe. Such permit shall be issued only upon a written application stating facts showing proper grounds therefor, and shall specify the weeks for which it is granted; but no such permit shall be issued for a factory unless it is clean, well lighted, heated and ventilated, and is free from deleterious dust or gases, and unless all lawful orders of the commissioner of labor relative to such factory have been complied with. The commissioner of labor may revoke such permit at any time for a violation of any provision of this chapter.*

Subd. 3. *In a prosecution for a violation of any provision of this or of the preceding section the burden of proving a permit or exception shall be upon the party claiming it.*

§ 2. This act shall take effect October first, nineteen hundred and seven.

Opposition to the bill concentrated particularly on the provisions permitting overtime in certain cases, especially subdivision 2 of section 78, which allows a schedule of 66 hours a week for six weeks each year in canning factories, confectionery establishments and other manufacturing concerns whose product is made from perishable, seasonal materials. In reply to criticism of the bill, Commissioner Sherman made the following statement in explanation of the various changes:

"In recent editorials in the public press there have appeared some criticisms upon Assemblyman Prentice's bill, now pending in the Legislature, to amend sections 77 and 78 of the Labor Law, which limit the hours of labor of women and minors in factories. That bill was drawn by me, with the advice and based upon the experience of the factory inspectors, and after a careful study of the laws of other states and countries. Excepting so much of it as relates to children, the object of every one of its provisions is to render more generally and thoroughly enforcible the limitations upon the working time of women; and it has been publicly admitted by its critics that it will have that effect. The present law limits their working hours to 60 a week, to ten a day, 'except to make a shorter workday on the last day of the week,' and to not more than an average of ten a day for the whole number of days worked per week.

"The proposed amendments allow a workday in excess of ten hours under several more conditions, and wipe out the provision as to the average day, but limit the workday to 12 hours without exception, and the week to 58

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hours, save in the manufacture of certain perishable articles, where 66 hours are permitted for short periods. The principal opposition, which emanates from the representatives of certain philanthropic and charitable organizations, seems to be based upon a feeling that the proposed amendments abandon or lower an established principle or standard, i. e., a ten-hour workday — a standard merely declared in the law and never yet lived up to nor successfully enforced. It seems to me that they wrongly prefer form to substance and mistake the proper functions of penal laws. Every such law should be aimed to prevent or correct an evil, and is good only so far as it actually accomplishes or is fitted to aid in the accomplishment of such a result. Judged by this test the present law is radically defective, and the proposed amendments would be a great improvement.

"Neither is there any real principle involved in the ten-hour day. An ideal workday would be of eight hours. A more nearly attainable ideal is the regular nine-hour day toward which the majority of New York factories in which women are employed are naturally tending, but with frequent relapses during rush seasons into periods of excessive 'overtime.' The present law, if enforcible and enforced, would check that desirable tendency; while the proposed amendments are designed to encourage it, but to limit effectively the overtime and to reduce the regular hours of work per week. I therefore can see in those amendments no sacrifice of any principle nor lowering of any standard.

"It is objected that the Massachusetts law, which limits the working hours of women in factories to 58 hours a week, without exception, and to ten a day, except to make a shorter day on one day in the week, and except to make up for time lost by stoppage of machinery, is enforcible and enforced. With some exceptions and qualifications that is true. But it is not a strong objection, for the Prentice bill would amend our law to approach more nearly to that of Massachusetts; and there are two circumstances that make proper some differences that would still remain. One is the difference in the conditions of industry in the two states. In Massachusetts large mills predominate. They are easily watched and regulated and in them the natural tendency is to regular but long hours. Industries in New York are much more varied, and conditions and practises vary yet more. Small workshops, with somewhat irresponsible proprietors, and others run in connection with mercantile establishments, both difficult to watch and regulate, are infinitely more common. And in many industries in New York the tendency is not to regular long hours, but to regular short hours, with irregular and varying rush season when the pressure to work long hours becomes intense. In the second place, in Massachusetts the law as to mercantile establishments and factories is the same, while in New York it is entirely different, for there are no limitations upon the hours of adult females in mercantile establishments and none as to minors over sixteen during the Christmas rush season or on Saturdays. This difference between the factory and the mercantile laws makes the task of the factory inspectors here a hundred fold more difficult. Therefore I am convinced that the Massachusetts rule as to factories would be practically unenforcible in New York by any possibly obtainable number of inspectors and prosecuting officers. The English law is equally good, but again different because adapted to conditions in England. We will, therefore, not be departing from any uniform and accepted standard if we frame our law with some regard to our own peculiar conditions.

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"The most earnest objection to the bill is to that provision which would allow eight hours a week overtime in excess of a fifty-eight-hour week (but not to exceed two hours a day) for six weeks a year, where seasonal and perishable articles are used or manufactured. The provision is adopted in restricted terms from the English law, which allows two hours a day overtime (in not to exceed three days a week) in 50 days a year, under three conditions: 1. Where materials are liable to be spoiled by weather. 2. Where there is press of work in certain seasons, and 3, where there is sudden press of orders from unforeseen causes. The Prentice bill allows the overtime only where the first two conditions are combined. The universal practice of mankind recognizes the necessity and reasonableness of haste and overtime work in dealing with perishable articles (the international labor treaty, recently signed at Berne, allows overtime in 'industries affected by seasons'), and no law which allows no excess over the regular hours for that purpose has ever been lived up to or successfully enforced. Under the present law the sixty-hour limit is easily and frequently evaded both legally and illegally, and if the Prentice bill make the law enforcible it will in fact reduce the working time even when and where 66 hours are allowed.

"That bill is not meant to be an abstract rule of morals or of hygiene, but a practical measure of coercive legislation, aimed at and fitted to meet actual conditions and practices. It is not supposed to be perfect or final, but I believe that in all the industries in which excessive hours have come to the attention of our factory inspectors, it would enable them to reduce those hours and to prevent a large measure of the evils that result from them. It is proper that the question, whether the bill be or be not so framed as to possess the practical merits claimed for it, should be subjected to and determined by the criticisms and judgment of lawyers and inspectors familiar with or informed of the industrial conditions in this state. But it is not reasonable for doctors, economists and charity workers to seek to dictate the exact terms of such remedial legislation. They may be and doubtless are more familiar with the evils that women incur from excessive labor in factories, and the judgment of the medical profession should determine what are desirable limitations; but the manner and means of actually limiting labor is a problem of law and inspection as to which the judgment of lawyers and inspectors is superior.

"In no particular, at no time and in no industry is it designed by this bill to lengthen the hours of labor. The contrary is true in every case.

"In drafting the amendments in the Prentice bill to the law relating to the hours of children and male minors, other questions besides enforcibility were equally considered. That bill reduces the hours of labor permitted for children in factories from nine to eight a day. Page Senate bill No. 10, now before the same committee of the Assembly as the Prentice Assembly bill, not only makes that reduction in time, but also restricts the hours to those between 8 A. M. and 5 P. M. That change would make the eight-hour rule more easily and thoroughly enforcible, and so far is desirable; but it would also cause the discharge of all children in all factories where they interlock with adults and in which the working hours begin at 7 A. M. or continue until 6 P. M., whether they be eight-hour factories or not. That would mean that boys can not begin to work in a large percentage of the best factories until they are sixteen, even if they have finished their schooling and be physically fit for the work. There is grave doubt about the wisdom of such an arbitrary regulation. The objects

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of the child labor laws are to secure education for and to protect the health of children; but this rule is not logically necessary or conducive to either purpose, unless perhaps it be an administrative regulation necessary to enforce the limitation upon the number of hours. It may be so necessary; but that fact has not yet been demonstrated. The propriety of enacting the provisions of the Page bill is therefore a point which should properly be decided by the judgment of the Legislature, unmoved by sentiment. Even the Prentice bill goes doubtfully far on this point in the direction of unnecessarily arbitrary regulation. To be personal, I admit that I have myself gone yet farther, in some published opinions, in the same direction. I then had in mind the condition of girls and of children in sweatshops. But as to well developed boys of fifteen and thereabouts employed in factories proper, I now realize the need of more reasonable rules, lest we make the fatal mistake of driving them for life out of mechanical occupations.

"Another provision of the Prentice bill relaxes the limitations upon the hours of labor of male minors between the ages of sixteen and eighteen. At present they are forbidden to work in factories after 9 P. M. or before 6 A. M. This provision works unqualified harm, for it practically postpones the age at which such minors can begin to learn certain trades or be employed in various proper occupations until they become eighteen. The majority of bakers work only in the night, and brickmakers start at 4 and 4:30 A. M. in Summer. And in all those day occupations in which work is occasionally continued into the evenings after 9 o'clock, this law causes the discharge of all such minors wherever they are discovered by the inspectors. It is idle to believe that these young men when turned out of work return to school, or that they stay in their homes after 9 P. M., where they procure other employment which does not require evening work. But only too often they lose their means of livelihood and of learning a trade, and take to the streets permanently instead. It is the experience of the factory inspectors that the enforcement of this law has almost invariably worked hardship and done wrong. At the very best the net benefit is doubtful. It therefore seems obvious that while so much undoubtedly good work remains to be done, no effort should be wasted over such a dubious provision. The subdivision of the Prentice bill relating to this subject does go too far in permitting the employment of such minors in all-night shifts and accidentally omits the rule of the present law, which prohibits more than ten hours' work a day. It will doubtless be amended to correct these errors. But I sincerely hope that it will pass in such a form as to permit boys of sixteen and seventeen to work until much later in the evenings and after 4 A. M."

Foreign Legislation.

The international treaty of 1906 regulating the night work of women, which was published in the December BULLETIN, was the first international labor convention; but noteworthy practical results followed the International Conference on Labor held in Berlin in 1890, although no conventions were drawn up at that time. The British House of Commons recently caused a return

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SUMMARY OF REPORTS SHOWING HOW FAR RECOMMENDATIONS OF THE

	AUSTRIA.	BELGIUM.
I. REGULATIONS CONCERNING WORK IN MINES.		
1. (a) Minimum age for employment of children underground to be raised to 14 years—in southern countries it may be 12 years.	Adopted*.....	Not adopted..... Minimum age, 12....
1. (b) Prohibition of employment of women underground.	Adopted*.....	Adopted as regards females under 21.*
III. REGULATION OF CHILD LABOR.		
1. Children under minimum age to be excluded from work in factories.	Adopted. Minimum age, 14.*	Adopted*.....
2. Minimum age to be fixed at 12 years—in southern countries it may be 10 years.		
3. Minimum age limit to apply to every factory without exception.		
4. Children must satisfy provisions concerning primary education before being employed.	Adopted*.....	No provision in Belgium law concerning primary education.
5. Children under 14 not to work at night nor on Sundays.	Adopted except as to certain necessary Sunday labor.	Adopted except as to certain industries which cannot suffer interruption.*
6. Actual working hours for children under 14 not to exceed 6, broken by a rest of half an hour or more.	Not adopted.....	Adopted but period of rest must be not less than ½ hour.
7. Children to be excluded from unhealthy or dangerous occupations or admitted only under protective conditions.	Adopted*.....	Adopted.....
IV. REGULATIONS CONCERNING THE LABOR OF THE YOUNG.		
1. Persons aged 14 to 16 not to work at night nor on Sundays.	Adopted.....	Adopted*.....
2. Actual working hours of such persons not to exceed 10 hours, broken by rests amounting to at least 1½ hours.	Not adopted.....	Not adopted.....
3. Exceptions to be admitted for certain industries	Adopted*.....	Adopted*.....
4. Employment in unhealthy and dangerous occupations to be subject to restrictions.	Adopted*.....	Adopted.....
5. Young men aged 16 to 18 to be protected as regards— (a) Maximum day's labor (b) Night work (c) Sunday work (d) Employment in dangerous or unhealthy occupations.	Adopted as regards (a) and (c)*.	Not adopted.....
V. REGULATIONS CONCERNING FEMALE LABOR.		
1. (a) Females from 16 to 21 not to work at night.	Adopted.....	Adopted.....
1. (b) Women over 21 not to work at night.....		Not adopted.....
2. Actual working hours of females not to exceed 11 hours, broken by rests amounting to 1½ hours at least.	Adopted*.....	Not adopted.....
3. Exceptions may be allowed for certain industries		Adopted*.....
4. Employment in unhealthy or dangerous occupations to be subject to restrictions.	Adopted.....	Adopted.....
5. Women not to be admitted to work for four weeks after child-brith.	Adopted*.....	Adopted*.....

* Adopted before the date of the Conference.

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BERLIN LABOR CONFERENCE HAVE BEEN CARRIED INTO EFFECT.

FRANCE.	GERMANY.	GREAT BRITAIN AND IRELAND.	ITALY.
Not adopted	Not adopted	Not adopted	Adopted as regards underground workings without mechanical traction.
Minimum age, 13	Minimum age, 13	Minimum age, 13	
Adopted	Adopted	Adopted*	Adopted.
Adopted	Adopted but minimum age fixed at 13, except in certain cases, when it may be 12.	Adopted	Adopted. The minimum age 12.
	Adopted	Adopted.*	
Adopted except the weekly rest need not be Sunday.	Adopted	Adopted*	Adopted except that weekly rest need not be on Sunday.
Not adopted	Not adopted	Not adopted	Not adopted. Children between 12 and 15 may work 11 hours with rest equal to 2 hours.
Adopted	Adopted	Adopted*	Adopted.
Adopted except that weekly rest need not be Sunday.	Adopted	Adopted*	Not adopted.
Not adopted	Adopted	Not adopted	For those under 15, maximum is 11 hours with rest of 1½ hours.
Adopted	Adopted	Adopted*	Adopted.
Adopted	Adopted	Adopted*	Not adopted.
Adopted except that weekly rest need not be Sunday.	Adopted	Adopted*	Not adopted.
Adopted	Adopted	Adopted*	Adopted except as regards girls at work before June, 1902.
Adopted	Adopted	Adopted*	
Working hours limited to 10, with rests amounting to 1 hour.	Not adopted	Adopted*	Not adopted.
Adopted	Adopted	Adopted*	
Adopted	Adopted	Adopted*	Adopted as regards girls under 21.
Legislation in progress.	Adopted	Adopted	Adopted period may be reduced to 3 weeks on medical certificate.

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to be prepared showing the degree to which certain of the resolutions of the Berlin Conference are now carried out in each of the countries represented, and this document (ordered to be printed August 3, 1905) affords a convenient survey of the principal regulations now enforced abroad concerning the employment of women and children. Pages —, — contain in tabular form a summary of the reports for the leading six countries of Europe. Since the reports were prepared, early in 1905, some countries have strengthened their regulations.

It may be added that Russia, which was not represented at the Berlin Conference, has lately made considerable progress in labor legislation. In November last the Council of Ministers decreed a ten-hour work-day for all factory operatives. According to this decree the work-day in factories is limited to twelve hours, with a two-hour intermission for dinner. In factories where continuous operation is important, the change will bring in an eight-hour schedule of work, with three shifts in each twenty-four-hour day. The normal work-day of clerks and salesmen is limited to twelve hours, but two hours may be added forty days a year, which are named by special decree. The enforcement of the law is intrusted to local inspectors, rural and municipal councils and the police. Violations are punishable either by one month's imprisonment or a fine of fifty dollars.—(*Bulletin de l'Office du Travail, Dec.,* 1906.)

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CHILDREN WORKING IN NEW YORK CITY TENEMENTS.

For the purpose of satisfying the general public interests in the subject of home work in tenements in New York City, the following analyses of inspections by the factory inspectors during the past few months are published.

Table No. I is an analysis of the results of regular inspections of licensed tenements in accordance with section 100 of the Labor Law during the month ended February 17. The houses referred to are distributed throughout all parts of New York City.

TABLE I.—REGULAR INSPECTIONS OF LICENSED TENEMENTS, NEW YORK CITY, MONTH ENDING FEBRUARY 17, 1907.

Total number of houses inspected		569
Number in which work was found	(454)	
Number in which no work was found	(115)	
Number of apartments in which work was found		1,076
Number of which were living apartments	(964)	
Number of which were shops	(112)	
Number of workers found		1,654
Number in living apartments	(1,189)	
Number in shops	(465)	
Average number of workers in each living apartment used for working.	1¼	
Number of houses against which orders were issued		59
Number of orders issued against those houses		76
Number of cases of contagious disease found		1
Number of children of school age found at work		0

The absence of any children found at work on the regular inspections of licensed tenements, as shown in the foregoing table, is unusual, but the number is never large. That is due in part to the fact that a large proportion of the tenements inspected monthly contain the homes of skilled workers among whom child labor is almost unknown; partly to the fact that the regular inspections are made during school hours, and partly to the fact that while upon such duty the inspectors are not in position to devote the greatest attention to detecting children at work.

Therefore, in order to obtain an approximate measure of the amount of child labor in those tenements in which it is most frequent, a special investigation on that subject only and out of school hours is being made of the licensed tenement-houses on Elizabeth, Mott, Mulberry, Baxter, Sullivan, Thompson and Macdougal streets in New York City. These buildings are practically home annexes to nearby shops, and in them the poorer Italian

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population do the bulk of the home finishing and artificial flower work. The results of that investigation to date are shown in Tables II and III.

TABLE II.—CHILDREN FOUND AT WORK IN TENEMENTS ON ELIZABETH, MOTT, MULBERRY AND BAXTER STREETS.

AGES.....	5	6	7	8	9	10	11	12	13	14	Totals.
Number working†.....	1	4	9	10	13	17	14	21	20	10	119*
Number of boys.....	....	3	2	1	2	4	3	6	5	1	27
Number of girls.....	1	1	7	9	11	13	11	15	15	9	92
Number attend school.....	....	....	8	9	10	16	12	16	16	7	94
Number do not attend school...	1	4	1	1	3	1	2	5	4	3	25
Number found in daytime.....	....	2	4	4	7	8	6	7	7	5	50
Number found in evening.....	1	2	3	4	5	4	6	9	7	3	44
Number found at hours not recorded.....	....	....	2	2	1	5	2	5	6	2	25
Number "finishing" garments..	1	2	4	7	11	14	9	15	13	8	84
Number making artificial flowers	....	....	1	1	....	1	2	1	2	....	8
Number sewing buttons.....	....	2	1	2	2	2	3	4	4	1	21
Number pulling bastings	....	....	3	....	....	....	....	....	....	....	3
Number making cigars.....	....	....	....	....	....	....	....	1	1	1	3

Number of houses, 241.
Number of apartments (estimated), 3,600.
Number of adult home workers in them—unascertainable.
Number of families in which two children work, 20.
Number of families in which three or more work, 0.
Latest hour at which child was found at work, 9:05 P. M.

On this table the inspector makes the following comments: It was principally in the very poor tenements that I found young workers. Of the children, some said that they worked steadily all day until dark, others only at odd intervals, while some admitted that they worked until 9 o'clock, after which they studied their lessons.

TABLE III.—CHILDREN FOUND AT WORK IN TENEMENTS ON SULLIVAN AND MACDOUGAL STREETS.

AGES.....	5	6	7	8	9	10	11	12	13	14	Totals.
Number working§.....	3	4	11	7	12	10	11	16	10	6	90‡
Number boys.....	1	....	3	1	5	1	4	5	....	1	21
Number girls.....	2	4	8	6	7	9	7	11	10	5	69
Number attend school.....	2	3	11	7	12	10	11	16	10	4	86
Number don't attend school....	1	1	....	....	....	....	....	....	....	2	4
Number found in daytime.....	1	3	5	4	6	7	5	8	5	3	47
Number found in evening—after 6.....	2	1	6	3	6	3	6	8	5	3	43
Number make artificial flowers..	3	4	11	7	12	9	9	16	7	6	84
Number finish corsets.....	....	....	....	....	....	1	2	....	3	....	6

Number of houses, 60.
Number of apartments (estimated), 900.
Number of families found in which 2 children work, 8.
Number of families found in which 3 children work, 7.
Number of families found in which 4 children work, 6.
Number of families found in which 5 children work, 1.

*In addition one girl under three was found pulling bastings and one boy of four buttoning garments. They were obviously playing and are properly excluded from table.
†Number not found at work, but who admitted working, 9.
‡In addition one boy and one girl were found sorting leaves.
§Number not *found* working, but who admitted working, 23.

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On this table the inspector comments as follows: In contrasting conditions among the class of people on Mott and Mulberry streets with those on Macdougal and Sullivan streets, the latter seem to be of a little higher grade and live under better conditions. There is not the overcrowding that I found among the finishers. In a flower maker's home you will find the father, mother and a half dozen or more children. I have not seen an outsider in any of the homes visited at night so far. They live in cleaner and better kept houses, the children are, as a rule, more intelligent, and while most of them are very poor,* the bright hue of the flowers and the smiling, animated faces of the children created a more cheerful atmosphere in the homes, which was quite a relief from the wretchedness and squalor of some of the homes on Mulberry and Elizabeth streets. They answer questions readily and apparently truthfully; not so the Sicilians (most of the finishers are Sicilians), who are suspicious and prone to prevaricate. Few of the children of the flower workers seem to work at all steadily, but apparently all work some.

These tables probably represent approximately the average number of children of fourteen years of age or under who work in these tenements at any one time. But as home work is essentially irregular and intermittent, they do not indicate anything approaching to the total number of those who work at some time or other. Particularly is this true as to Table No. II. The high average school attendance shown in Table III explains why so few children are found on the regular inspections.

According to the school law, all children between eight and fourteen must attend school, and all those shown in the above tables who did not, have been reported to the attendance officers. But the Labor Law as to child labor in homes is indefinite. The Department proposes to try to stamp it out under the present law, and thereby learn by experience what further legislation is needed.

The above tables have no reference to *unlicensed* tenements. All labor of the kinds above classified is forbidden in them, whether it be by children or by adults. The factory inspectors therefore simply search for it, and where found, stop it; and they spare no time to estimate the number and character of the workers.

*They obtain 20 cents a gross for making large flowers and as low as 5 cents for small ones.

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NATIONAL SOCIETY FOR THE PROMOTION OF INDUSTRIAL EDUCATION.

The first Bulletin of the Society, issued in January, 1907, contains the addresses given in Cooper Union, New York City, on the evening of November 16, 1906, the date of the formation of the Society. Few social movements of recent years have aroused more general interest than the movement for improved methods of vocational training, which is now crystallized in a national organization. The constitution of the Society and a list of its officers are herewith reprinted, together with the following statement of its purposes:

The field of work indicated by the term "industrial education" lies between the manual training of the public elementary school on the one hand and the engineering college on the other. Both of these may be considered as phases of industrial education, but it is that schooling which deals with training of direct vocational value to the industrial worker, to which the term is most appropriately applied.

The committee recognized that the problems presented by this field involve not only economic and educational questions, but social considerations of large magnitude. They were convinced that lasting results could be secured only when public opinion approves the measures proposed and is aroused to the importance of moving forward.

For these reasons it was felt of the highest importance that the elements of the community concerned in the problem be represented in the Society, and that through the Society the views of each should find expression. Through such exposition they believe that public opinion may be shaped and brought to bear upon the situation.

This point must arise in any effort to secure state and community support of industrial education, for while it is true that experiment and demonstration, for some time to come, must depend upon private initiative and support, public action must eventually play a large part in this work.

The field of industrial education is a wide one. It is evident that the conditions and requirements of modern industry and social life are so complex that no single plan will meet all needs. On the contrary a great variety of provisions are necessary — provisions that will meet the financial resources and different capacities of the learners and will furnish the training called for by the trade. Even at the present time there are in active operation the apprenticeship system, the shop school, the trade school of various types, the technical school for the expert, designer and foreman, the evening continuation school, the evening supplementary school, the half-time school and the correspondence school.

The training of beginners for entrance to the trades is a very important phase of the whole system, but it is only one phase. The idea that the

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National Society for the Promotion of Industrial Education should exert its influence toward the immediate establishment of trade schools would seem from many points of view impracticable and undesirable. There exists at present no substantial agreement as to the most practical and desirable form of such schools and because of this fact it would seem that the more immediate and legitimate function of the Society should lie in the attempt to develope better understanding and agreement as to just what schools, if any, are best fitted for the different industries, what forms are practicable and what will be of largest benefit to both employer and employee.

Furthermore the central office of the Society, it is hoped, will serve as a bureau of information and a source of data and statistics for those in different parts of the country who are contemplating the establishment of institutions for industrial education or who are interested in the development of local, public or political sentiment. These and other lines of activity may well be undertaken by the Society in proportion to the material and moral support that it receives from the general public and from those most immediately concerned in the industrial welfare of our country.

CONSTITUTION

OF THE

NATIONAL SOCIETY FOR THE PROMOTION OF INDUSTRIAL EDUCATION.

I. NAME. The name of this organization shall be the National Society for the Promotion of Industrial Education.

II. OBJECTS. The objects of this Society shall be to bring to public attention the importance of industrial education as a factor in the industrial and educational development of the United States; to provide opportunities for the study and discussion of the various phases of the problem; to make available the results of experience in the field of industrial education both in this country and abroad and to promote the establishment of institutions for industrial training.

III. MEMBERSHIP. All persons interested in the subject of industrial education shall be eligible to membership.

Application for membership shall be filed with the Secretary. Members shall be elected by the Executive Committee.

Membership shall begin with payment of dues.

There shall be four classes of members, all of which shall enjoy the same rights and privileges.

Members.— All those who pay annual dues of $2.

Sustaining Members.— All those who pay annual dues of $25 or more.

Life Members.— All those who pay at any one time the sum of $250 or more.

Honorary Members.— Any person who has achieved special distinction in promoting industrial education may be elected by unanimous vote by the Board of Managers as an "HONORARY MEMBER," and as such shall enjoy the rights and privileges of a member, but shall be exempt from the payment of dues.

IV. OFFICERS. The officers of the Society shall be a President, Vice-President, Secretary, Treasurer and twenty-seven Managers. There shall be also an Executive Committee and Standing Committees as hereinafter provided.

The President shall preside at all meetings of this Society and of the Board of Managers and of the Executive Committee, and shall perform the duties usually devolving upon a presiding officer. In the absence of the President, the Vice-President shall preside and fulfil the duties of President.

The Secretary shall keep a full and accurate report of the proceedings of the general meetings of the Society and all meetings of the Board of Managers and of the Executive Committee. He shall conduct such correspondence and fulfil

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such other duties as the Board of Managers shall assign. He shall be paid a salary determined by the Board of Managers.

The Treasurer shall receive and under the direction of the Executive Committee hold in safe-keeping all moneys paid to the Society; and shall expend the same only upon the order of said Committee; shall keep an exact account of his receipts and expenditures, with vouchers for the latter, which account he shall render to the Executive Committee when requested.

The President, Vice-President and Treasurer shall be elected by ballot at the annual meeting of the Society for a term of one year.

The Board of Managers shall consist of the President, Vice-President, Secretary, Treasurer and twenty-seven additional members. These twenty-seven members shall serve for a term of three years, nine of them being elected at each annual meeting.*

The Board of Managers shall have power to fill vacancies in their own body occurring between the dates of the annual meetings; shall have charge of the general interests of the Society and shall develop plans to forward its purposes.

The Board of Managers shall elect the Secretary of the Society, who shall also be Secretary of the Board of Managers and of the Executive Committee, and shall determine the compensation of the office for the ensuing year.

The Executive Committee shall consist of the President, Vice-President, Secretary, Treasurer and five additional members of the Board of Managers selected by that body to serve for one year. It shall be the duty of the Executive Committee to provide for the safe-keeping and investment of all funds of the Society. It shall also be the duty of this Committee to issue orders on the Treasurer for the payment of all bills incurred by the Society under their direction. It shall conduct such other business as may be delegated to it by the Board of Managers and shall report to that body when requested. The Executive Committee shall appoint such Standing and Special Committees as shall hereafter be provided for.

V. MEETINGS. The annual meeting of the Society shall be held in the month of November at such time and place as the Executive Committee shall decide. Special meetings of the Society shall be held as decided upon by the Executive Committee.

The Board of Managers shall meet at least twice a year, once within one month of the annual meeting for the purpose of organization, and again within one month previous to the next annual meeting for the purpose of reviewing the work of the Society and deciding upon such recommendations at the annual meeting as may be found advisable.

The Executive Committee shall meet once a month except June, July and August, at such time and place as it shall decide.

VI. BY-LAWS. By-Laws not inconsistent with this Constitution may be adopted by a two-thirds vote of a quorum of the Society.

VII. AMENDMENTS. This Constitution may be altered or amended by the two-thirds vote of the members present at a regular meeting, provided that the alteration or amendment has been substantially proposed in writing at a previous meeting or submitted to the members or by mail at least thirty days before the meeting.

OFFICERS.

President, Henry S. Pritchett, President Mass. Institute of Technology.
Vice-President, Magnus W. Alexander, Lynn, Mass.
Treasurer, V. Everit Macy, New York City.
Secretary, Prof. Chas. R. Richards, Columbia University.

BOARD OF MANAGERS.

Three Years.

Milton P. Higgins, President Norton Company, Worcester, Mass.
Anthony Ittner, President Anthony Ittner Brick Company, St. Louis.

* To put this Constitution in operation nine members shall be elected at the organization meeting to hold office for a period of three years; nine for a period of two years, and nine for a period of one year.

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W. H. Pfahler, President Model Heating Co., Philadelphia.
Mrs. Mary Morton Kehew, President Women's Educational and Industrial Union, Boston.
C. R. Richards, Teachers College, New York.
James P. Haney, Director of Manual Training, New York.
Robert A. Woods, Director South End House, Boston.
Charles F. Warner, Principal Technical High School, Springfield, Mass.

Two Years.

Fred W. Sivyer, President N. W. Malleable Iron Co., Milwaukee.
Frank A. Vanderlip, Vice-President National City Bank, New York.
Charles A. Moore, President Manning, Maxwell & Moore, New York.
Fred W. Taylor, Consulting Engineer, Chestnut Hill, Philadelphia.
Leslie W. Miller, Principal Pennsylvania Museum and School of Industrial Art, Philadelphia.
F. J. McNulty, Grand President International Brotherhood of Electrical Workers, Springfield, Ill.
Miss Jane Addams, Head of Hull-House, Chicago.
Louis Rouillon, Director, Franklin Union, Boston.
Walter M. Wood, Manager of Institutional Work, Y. M. C. A., Chicago.

One Year.

Frederick P. Fish, President American Telephone & Telegraph Co., Boston, Mass.
Samuel B. Donnelly, Secretary General Arbitration Board of the New York Building Trades, New York.
James P. Munroe, Treasurer Munroe Felt & Paper Co., Boston.
Fred J. Miller, Editor "American Machinist," New York.
Mrs. B. B. Munford, President Richmond Education Association, Richmond, Va.
E. P. Bullard, Jr., Vice-President Bullard Machine Tool Co., Bridgeport, Conn.
J. Ernest G. Yalden, Superintendent Baron de Hirsch Trade School, New York.
Henry Bruere, Secretary Bureau of City Betterment, Citizens' Union of New York.

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THE NEW BRITISH ACT FOR THE COMPENSATION OF ACCIDENTS OF EMPLOYMENT.

Almost a decade has passed since the author of a standard treatise on workingmen's insurance declared that "it would be difficult to think of another field of social or legal reform in which the United States is so far behind other nations" as it is with respect to the law governing the responsibility for injuries which workmen incur in the course of their employment. American legislation is based on the idea of negligence, which worked substantial justice in the days of small workshops and hand tools, where any accident that occurs may readily enough be traced to the fault of some one man. But in the large industrial enterprises of to-day it is almost impossible to define and apportion negligence, and the rule that a workman can not recover damages when he himself has contributed to an accident, or when a fellow employee is at fault, has left the average workman without remedy when disabled from work. If all workmen would unite and refuse employment except upon terms that would enable them to carry accident insurance after the manner of the relatively well-paid railway employees, the problem of caring for disabled workmen would quickly disappear; but it is generally true that an effective concert of action through labor organizations is found only in the trades where skill and large earnings co-exist.

Occasionally actions to recover damages for personal injury result in awards of considerable amount, but such awards while bearing heavily upon the employer do not afford financial assistance to the multitude of injured men who either have no cause of action or lack sufficient evidence to obtain a judgment. The law of employers' liability, as it works out in every country that uses steam-driven machinery, is nothing more or less than a gamble, in which the only winner is the practicing attorney who specializes in personal injury cases.

In Europe, where the prevailing low standard of wages prevented workmen from laying by funds for emergencies, those incapacitated from work were thrown upon public and private charity, and consequently compelled an earlier recognition of the

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actual situation than in the United States. Beginning with Germany in 1884, every important industrial nation of Europe has provided some system of insurance against industrial accidents. The United States is still in the stage of discussion. The earliest official report was perhaps that of the New York Bureau of Labor Statistics in 1899, which is now out of print.* In 1902 Maryland enacted a co-operative insurance law, providing for optional insurance in certain industries, but it was soon declared unconstitutional. In 1904 a Massachusetts Committee on Relations between Employer and Employee made a unanimous recommendation in favor of a liability law similar to the British workmen's compensation act, which makes the employer, in legal phrase, the insurer of the safety of his employees; but the bill failed of passage. In 1905 the Legislature of Illinois authorized the appointment of an industrial insurance commission which has just made its report, and last December the President of the United States in his annual message to Congress recommended the enactment of a law which should apply to common carriers engaged in interstate commerce the new doctrine that the business itself should bear the charges involved in caring for employees injured while at work, irrespective of questions of fault or negligence, thus:

"Among the excellent laws which the Congress passed at the last session was an employers' liability law. It was a marked step in advance to get the recognition of employers' liability on the statute books; but the law did not go far enough. In spite of all precautions exercised by employers there are unavoidable accidents and even deaths involved in nearly every line of business connected with the mechanic arts. This inevitable sacrifice of life may be reduced to a minimum, but it can not be completely eliminated. It is a great social injustice to compel the employee, or rather the family of the killed or disabled victim, to bear the entire burden of such an inevitable sacrifice. In other words, society shirks its duty by laying the whole cost on the victim, whereas the injury comes from what may be called the legitimate risks of the trade. Compensation for accidents or deaths due in any line of industry to the actual conditions under which that industry is carried on, should be paid by that portion of the community for the benefit of which the industry is carried on — that is, by those who profit by the industry. If the entire trade risk is placed upon the employer he will promptly and properly add it to the legitimate cost of production and assess it proportionately upon the consumers of his commodity. It is therefore clear to my mind that the law

* A concise summary of the principles at stake was given in the BULLETIN of March, 1906.

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should place this entire 'risk of a trade' upon the employer. Neither the Federal law, nor, as far as I am informed, the state laws dealing with the question of employers' liability are sufficiently thoroughgoing. The Federal law should of course include employers in navy yards, arsenals, and the like."

The idea that each trade or occupation carries a risk or hazzard of its own which may be accurately ascertained and covered by insurance is the doctrine that underlies the accident insurance systems and workmen's compensation acts of Europe. The first charges are ordinarily paid by the employer because he is the only person who can transfer them to the consumer by means of an advance in the selling price of goods produced, precisely in the same way that he shifts to consumers his charges for fire insurance. The manufacturers of gunpowder pay higher insurance rates than do the owners of ordinary mills, but their profits are not thereby reduced below the average or normal rate, because they include the insurance charges among the expenses of production; similarly, their payments to insure the proper compensation of injured employees would exceed those of manufacturers of clothing, for example, but such payments would in neither case affect profits in the long run.

Ten years ago England accepted the principle of the trade risk in its Workmen's Compensation Act of 1897. Three years later the act was extended to agriculture, and it has now been extended to mercantile establishments, shipping, and domestic service, adding some 6,000,000 persons to the number of workmen already protected. In the revised law, moreover, Parliament added a new feature which places England in advance of many of the Continental countries,— the inclusion of some of the most dangerous processes involving the risk of poisoning. Six trade diseases to which workmen are subject when handling poisonous materials are thus assimilated to accidental injuries, namely, anthrax (handling of wool, hair, bristles, hides and skin), lead poisoning, mercury poisoning, phosphorus poisoning, arsenic poisoning, and ankylostomiasis or miners' consumption.

Under the new act compensation is given to workmen incapacitated for one week (instead of two, as before) and in the case of the more serious injuries, payments begin at once instead of at the end of two weeks. While the allowances during disability are, as a rule, limited to 50 percent of the workman's

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weekly earnings, minors under 21 years of age are now entitled to 100 percent of their earnings up to 10s. ($2.50) a week.

A valuable addition to the law is the requirement (sec. 12) of official reports concerning the number of accidents and amounts paid in compensation thereof. Heretofore the only information published as to the working of the law has been confined to the proceedings in court or before arbitrators,† whereas the overwhelming number of cases are adjusted without recourse to litigation of any kind.

In the following reprint of the official text of the law, the new matter will be found principally in sections 7, 8, 10, 11, and 12, and the third schedule.

WORKMEN'S COMPENSATION ACT, 1906.

ARRANGEMENT OF SECTIONS.

Section.
1. Liability of employers to workmen for injuries.
2. Time for taking proceedings.
3. Contracting out.
4. Sub-contracting.
5. Provision as to cases of bankruptcy of employer.
6. Remedies both against employer and stranger.
7. Application of Act to seamen.
8. Application of Act to industrial diseases.
9. Application to workmen in employment of Crown.
10. Appointment and remuneration of medical referees and arbitrators.
11. Detention of ships.
12. Returns as to compensation.
13. Definitions.
14. Special provisions as to Scotland.
15. Provisions as to existing contracts and schemes.
16 Commencement and repeal.
17. Short title.
Schedules.

CHAPTER 58. [6 EDW. 7.]

AN ACT to consolidate and amend the Law with respect to Compensation to Workmen for Injuries suffered in the course of their Employment. [*21st December 1906.*]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1) If in any employment personal injury by accident arising out of and in the course of the employment is caused to a workman, his employer shall,

†The latest information is in Statistics of Proceedings under the Workmen's Compensation Acts, 1897 and 1900, and the Employers' Liability Act, 1880, during the year 1905 [Cd. 3149, 1906.]

Valuable parliamentary documents on this subject of the law are the three reports of the Departmental Committee Appointed to Inquire into the Law relating to Compensation for Injuries to Workmen (1904-5, cd. 2208, 2334 and 2458).

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subject as herein-after mentioned, be liable to pay compensation in accordance with the First Schedule to this Act.

(2) Provided that—

(a) The employer shall not be liable under this Act in respect of any injury which does not disable the workman for a period of at least one week from earning full wages at the work at which he was employed:

(b) When the injury was caused by the personal negligence or wilful act of the employer or of some person for whose act or default the employer is responsible, nothing in this Act shall affect any civil liability of the employer, but in that case the workman may, at his option, either claim compensation under this Act or take proceedings independently of this Act; but the employer shall not be liable to pay compensation for injury to a workman by accident arising out of and in the course of the employment both independently of and also under this Act, and shall not be liable to any proceedings independently of this Act, except in case of such personal negligence or wilful act as aforesaid:

(c) If it is proved that the injury to a workman is attributable to the serious and wilful misconduct of that workman, any compensation claimed in respect of that injury shall, unless the injury results in death or serious and permanent disablement, be disallowed.

(3) If any question arises in any proceedings under this Act as to the liability to pay compensation under this Act (including any question as to whether the person injured is a workman to whom this Act applies), or as to the amount or duration of compensation under this Act, the question, if not settled by agreement, shall, subject to the provisions of the First Schedule to this Act, be settled by arbitration, in accordance with the Second Schedule to this Act.

(4) If, within the time herein-after in this Act limited for taking proceedings, an action is brought to recover damages independently of this Act for injury caused by any accident, and it is determined in such action that the injury is one for which the employer is not liable in such action, but that he would have been liable to pay compensation under the provisions of this Act, the action shall be dismissed; but the court in which the action is tried shall, if the plaintiff so choose, proceed to assess such compensation, but may deduct from such compensation all or part of the costs which, in its judgment, have been caused by the plaintiff bringing the action instead of proceeding under this Act. In any proceeding under this subsection, when the court assesses the compensation it shall give a certificate of the compensation it has awarded and the directions it has given as to the deduction for costs, and such certificate shall have the force and effect of an award under this Act.

(5) Nothing in this Act shall affect any proceeding for a fine under the enactments relating to mines, factories, or workshops, or the application of any such fine.

2.—(1) Proceedings for the recovery under this Act of compensation for an injury shall not be maintainable unless notice of the accident has been given as soon as practicable after the happening thereof and before the work-

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man has voluntarily left employment in which he was injured, and unless the claim for compensation with respect to such accident has been made within six months from the occurrence of the accident causing the injury, or, in case of death, within six months from the time of death:

Provided always that—

(*a*) the want of or any defect or inaccuracy in such notice shall not be a bar to the maintenance of such proceedings if it is found in the proceedings for settling the claim that the employer is not, or would not, if a notice or an amended notice were then given and the hearing postponed, be prejudiced in his defence by the want, defect, or inaccuracy, or that such want, defect, or inaccuracy was occasioned by mistake, absence from the United Kingdom, or other reasonable cause; and

(*b*) the failure to make a claim within the period above specified shall not be a bar to the maintenance of such proceedings if it is found that the failure was occasioned by mistake, absence from the United Kingdom, or other reasonable cause.

(2) Notice in respect of an injury under this Act shall give the name and address of the person injured, and shall state in ordinary language the cause of the injury and the date at which the accident happened, and shall be served on the employer, or, if there is more than one employer, upon one of such employers.

(3) The notice may be served by delivering the same at, or sending it by post in a registered letter addressed to, the residence or place of business of the person on whom it is to be served.

(4) Where the employer is a body of persons, corporate or unincorporate, the notice may also be served by delivering the same at, or by sending it by post in a registered letter addressed to, the employer at the office, or, if there be more than one office, any one of the offices of such body.

3.—(1) If the Registrar of Friendly Societies, after taking steps to ascertain the views of the employer and workman, certifies that any scheme of compensation, benefit, or insurance for the workmen of an employer in any employment, whether or not such scheme includes other employers and their workmen, provides scales of compensation not less favourable to the workmen and their dependants than the corresponding scales contained in this Act, and that, where the scheme provides for contributions by the workmen, the scheme confers benefits at least equivalent to those contributions, in addition to the benefits to which the workmen would have been entitled under this Act, and that a majority (to be ascertained by ballot) of the workmen to whom the scheme is applicable are in favour of such scheme, the employer may, whilst the certificate is in force, contract with any of his workmen that the provisions of the scheme shall be substituted for the provisions of this Act, and thereupon the employer shall be liable only in accordance with the scheme, but, save as aforesaid, this Act shall apply notwithstanding any contract to the contrary made after the commencement of this Act.

(2) The Registrar may give a certificate to expire at the end of a limited period of not less than five years, and may from time to time renew with or without modifications such a certificate to expire at the end of the period for which it is renewed.

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(3) No scheme shall be so certified which contains an obligation upon the workmen to join the scheme as a condition of their hiring, or which does not contain provisions enabling a workman to withdraw from the scheme.

(4) If complaint is made to the Registrar of Friendly Societies by or on behalf of the workmen of any employer that the benefits conferred by any scheme no longer conform to the conditions stated in subsection (1) of this section, or that the provisions of such scheme are being violated, or that the scheme is not being fairly administered, or that satisfactory reasons exist for revoking the certificate, the Registrar shall examine into the complaint, and, if satisfied that good cause exist for such complaint, shall, unless the cause of complaint is removed, revoke the certificate.

(5) When a certificate is revoked or expires, any moneys or securities held for the purpose of the scheme shall, after due provision has been made to discharge the liabilities already accrued, be distributed as may be arranged between the employer and workmen, or as may be determined by the Registrar of Friendly Societies in the event of a difference of opinion.

(6) Whenever a scheme has been certified as aforesaid, it shall be the duty of the employer to answer all such inquiries and to furnish all such accounts in regard to the scheme as may be made or required by the Registrar of Friendly Societies.

(7) The Chief Registrar of Friendly Societies shall include in his annual report the particulars of the proceedings of the Registrar under this Act.

(8) The Chief Registrar of Friendly Societies may make regulations for the purpose of carrying this section into effect.

4.—(1) Where any person (in this section referred to as the principal), in the course of or for the purposes of his trade or business, contracts with any other person (in this section referred to as the contractor) for the execution by or under the contractor of the whole or any part of any work undertaken by the principal, the principal shall be liable to pay to any workman employed in the execution of the work any compensation under this Act which he would have been liable to pay if that workman had been immediately employed by him; and where compensation is claimed from or proceedings are taken against the principal, then, in the application of this Act, references to the principal shall be substituted for references to the employer, except that the amount of compensation shall be calculated with reference to the earnings of the workman under the employer by whom he is immediately employed:

Provided that, where the contract relates to threshing, ploughing, or other agricultural work, and the contractor provides and uses machinery driven by mechanical power for the purpose of such work, he and he alone shall be liable under this Act to pay compensation to any workman employed by him on such work.

(2) Where the principal is liable to pay compensation under this section, he shall be entitled to be indemnified by any person who would have been liable to pay compensation to the workman independently of this section, and all questions as to the right to and amount of any such indemnity shall in default of agreement be settled by arbitration under this Act.

(3) Nothing in this section shall be construed as preventing a workman recovering compensation under this Act from the contractor instead of the principal.

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(4) This section shall not apply in any case where the accident occurred elsewhere than on, or in, or about the premises on which the principal has undertaken to execute the work or which are otherwise under his control or management.

5.—(1) Where any employer has entered into a contract with any insurers in respect of any liability under this Act to any workman, then, in the event of the employer becoming bankrupt, or making a composition or arrangement with his creditors, or if the employer is a company in the event of the company having commenced to be wound up, the rights of the employer against the insurers as respects that liability shall, notwithstanding anything in the enactments relating to bankruptcy and the winding up of companies, be transferred to and vest in the workman, and upon any such transfer the insurers shall have the same rights and remedies and be subject to the same liabilities as if they were the employer, so however that the insurers shall not be under any greater liability to the workman than they would have been under to the employer.

(2) If the liability of the insurers to the workman is less than the liability of the employer to the workman, the workman may prove for the balance in the bankruptcy or liquidation.

(3) There shall be included among the debts which under section one of the Preferential Payments in Bankruptcy Act, 1888, and section four of the Preferential Payments in Bankruptcy (Ireland) Act, 1889, are in the distribution of the property of a bankrupt and in the distribution of the assets of a company being wound up to be paid in priority to all other debts, the amount, not exceeding in any individual case one hundred pounds, due in respect of any compensation the liability wherefor accrued before the date of the receiving order or the date of the commencement of the winding up, and those Acts and the Preferential Payments in Bankruptcy Amendment Act, 1897, shall have effect accordingly. Where the compensation is a weekly payment, the amount due in respect thereof shall, for the purposes of this provision, be taken to be the amount of the lump sum for which the weekly payment could, if redeemable, be redeemed if the employer made an application for that purpose under the First Schedule to this Act.

(4) In the case of the winding up of a company within the meaning of the Stannaries Act, 1887, such an amount as aforesaid, if the compensation is payable to a miner or the dependants of a miner, shall have the like priority as is conferred on wages of miners by section nine of that Act, and that section shall have effect accordingly.

(5) The provisions of this section with respect to preferences and priorities shall not apply where the bankrupt or the company being wound up has entered into such a contract with insurers as aforesaid.

(6) This section shall not apply where a company is wound up voluntarily merely for the purposes of reconstruction or of amalgamation with another company.

6. Where the injury for which compensation is payable under this Act was caused under circumstances creating a legal liability in some person other than the employer to pay damages in respect thereof—

(1) The workman may take proceedings both against that person to recover damages and against any person liable to pay compensation

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under this Act for such compensation, but shall not be entitled to recover both damages and compensation; and

(2) If the workman has recovered compensation under this Act, the person by whom the compensation was paid, and any person who has been called on to pay an indemnity under the section of this Act relating to sub-contracting, shall be entitled to be indemnified by the person so liable to pay damages as aforesaid, and all questions as to the right to and amount of any such indemnity shall, in default of agreement, be settled by action, or, by consent of the parties, by arbitration under this Act.

7.—(1) This Act shall apply to masters, seamen, and apprentices to the sea service and apprentices in the sea-fishing service, provided that such persons are workmen within the meaning of this Act, and are members of the crew of any ship registered in the United Kingdom, or of any other British ship or vessel of which the owner, or (if there is more than one owner) the managing owner, or manager resides or has his principal place of business in the United Kingdom, subject to the following modifications:

(*a*) The notice of accident and the claim for compensation may, except where the person injured is the master, be served on the master of the ship as if he were the employer, but where the accident happened and the incapacity commenced on board the ship it shall not be necessary to give any notice of the accident:

(*b*) In the case of the death of the master, seaman, or apprentice, the claim for compensation shall be made within six months after news of the death has been recived by the claimant:

(*c*) Where an injured master, seaman, or apprentice is discharged or left behind in a British possession or in a foreign country, depositions respecting the circumstances and nature of the injury may be taken by any judge or magistrate in the British possession, and by any British consular officer in the foreign country, and if so taken shall be transmitted by the person by whom they are taken to the Board of Trade, and such depositions or certified copies thereof shall in any proceedings for enforcing the claim be admissible in evidence as provided by sections six hundred and ninety-one and six hundred and ninety-five of the Merchant Shipping Act, 1894, and those sections shall apply accordingly:

(*d*) In the case of the death of a master, seaman, or apprentice, leaving no dependants, no compensation shall be payable, it the owner of the ship is under the Merchant Shipping Act, 1894, liable to pay the expenses of burial:

(*e*) The weekly payment shall not be payable in respect of the period during which the owner of the ship is, under the Merchant Shipping Act, 1894, as amended by any subsequent enactment, or otherwise, liable to defray the expenses of maintenance of the injured master, seaman, or apprentice:

(*f*) Any sum payable by way of compensation by the owner of a ship under this Act shall be paid in full notwithstanding anything in section five hundred and three of the Merchant Shipping Act, 1894 (which relates to the limitation of a shipowner's liability in certain

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cases of loss of life, injury, or damage), but the limitation on the owner's liability imposed by that section shall apply to the amount recoverable by way of indemnity under the section of this Act relating to remedies both against employer and stranger as if the indemnity were damages for loss of life or personal injury:

(*g*) Subsections (2) and (3) of section one hundred and seventy-four of the Merchant Shipping Act, 1894 (which relates to the recovery of wages of seamen lost with their ship), shall apply as respects proceedings for the recovery of compensation by dependants of masters, seamen, and apprentices lost with their ship as they apply with respect to proceedings for the recovery of wages due to seamen and apprentices; and proceedings for the recovery of compensation shall in such a case be maintainable if the claim is made within eighteen months of the date at which the ship is deemed to have been lost with all hands:

(2) This Act shall not apply to such members of the crew of a fishing vessel as are remunerated by shares in the profits or the gross earnings of the working of such vessel.

(3) This section shall extend to pilots to whom Part X. of the Merchant Shipping Act, 1894, applies, as if a pilot when employed on any such ship as aforesaid were a seaman and a member of the crew.

8.—(1) Where —

(i) the certifying surgeon appointed under the Factory and Workshop Act, 1901, for the district in which a workman is employed certifies that the workman is suffering from a disease mentioned in the Third Schedule to this Act and is thereby disabled from earning full wages at the work at which he was employed; or

(ii) a workman is, in pursuance of any special rules or regulations made under the Factory and Workshop Act, 1901, suspended from his usual employment on account of having contracted any such disease; or

(iii) the death of a workman is caused by any such disease;

and the disease is due to the nature of any employment in which the workman was employed at any time within the twelve months previous to the date of the disablement or suspension, whether under one or more employers, he or his dependants shall be entitled to compensation under this Act as if the disease or such suspension as aforesaid were a personal injury by accident arising out of and in the course of that employment, subject to the following modifications:

(*a*) The disablement or suspension shall be treated as the happening of the accident;

(*b*) If it is proved that the workman has at the time of entering the employment wilfully and falsely represented himself in writing as not having previously suffered from the disease, compensation shall not be payable;

(*c*) The compensation shall be recoverable from the employer who last employed the workman during the said twelve months in the employment to the nature of which the disease was due:

Provided that —

(i) the workman or his dependants if so required shall furnish that employer with such information as to the names and

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addresses of all the other employers who employed him in the employment during the said twelve months as he or they may possess, and, if such information is not furnished, or is not sufficient to enable that employer to take proceedings under the next following proviso, that employer upon proving that the disease was not contracted whilst the workman was in his employment shall not be liable to pay compensation; and

(ii) if that employer alleges that the disease was in fact contracted whilst the workman was in the employment of some other employer, and not whilst in his employment, he may join such other employer as a party to the arbitration, and if the allegation is proved that other employer shall be the employer from whom the compensation is to be recoverable; and

(iii) if the disease is of such a nature as to be contracted by a gradual process, any other employers who during the said twelve months employed the workman in the employment to the nature of which the disease was due shall be liable to make to the employer from whom compensation is recoverable such contributions as, in default of agreement, may be determined in the arbitration under this Act for settling the amount of the compensation;

(*d*) The amount of the compensation shall be calculated with reference to the earnings of the workman under the employer from whom the compensation is recoverable;

(*e*) The employer to whom notice of the death, disablement, or suspension is to be given shall be the employer who last employed the workman during the said twelve months in the employment to the nature of which the disease was due, and the notice may be given notwithstanding that the workman has voluntarily left his employment.

(*f*) If an employer or a workman is aggrieved by the action of a certifying or other surgeon in giving or refusing to give a certificate of disablement or in suspending or refusing to suspend a workman for the purposes of this section, the matter shall in accordance with regulations made by the Secretary of State be referred to a medical referee, whose decision shall be final.

(2) If the workman at or immediately before the date of the disablement or suspension was employed in any process mentioned in the second column of the Third Schedule to this Act, and the disease contracted is the disease in the first column of that Schedule set opposite the description of the process, the disease, except where the certifying surgeon certifies that in his opinion the disease was not due to the nature of the employment, shall be deemed to have been due to the nature of that employment, unless the employer proves the contrary.

(3) The Secretary of State may make rules regulating the duties and fees of certifying and other surgeons (including dentists) under this section.

(4) For the purposes of this section the date of disablement shall be such date as the certifying surgeon certifies as the date on which the disablement

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commenced, or, if he is unable to certify such a date, the date on which the certificate is given:

Provided that —

(*a*) Where the medical referee allows an appeal against a refusal by a certifying surgeon to give a certificate of disablement, the date of disablement shall be such date as the medical referee may determine:

(*b*) Where a workman dies without having obtained a certificate of disablement, or is at the time of death not in receipt of a weekly payment on account of disablement, it shall be the date of death.

(5) In such cases, and subject to such conditions as the Secretary of State may direct, a medical practitioner appointed by the Secretary of State for the purpose shall have the powers and duties of a certifying surgeon under this section, and this section shall be construed accordingly.

(6) The Secretary of State may make orders for extending the provisions of this section to other diseases and other processes, and to injuries due to the nature of any employment specified in the order not being injuries by accident, either without modification or subject to such modifications as may be contained in the order.

(7) Where, after inquiry held on the application of any employers or workmen engaged in any industry to which this section applies, it appears that a mutual trade insurance company or society for insuring against the risks under this section has been established for the industry, and that a majority of the employers engaged in that industry are insured against such risks in the company or society and that the company or society consents, the Secretary of State may, by Provisional Order, require all employers in that industry to insure in the company or society upon such terms and under such conditions and subject to such exceptions as may be set forth in the Order. Where such a company or society has been established, but is confined to employers in any particular locality or of any particular class, the Secretary of State may for the purposes of this provision treat the industry, as carried on by employers in that locality or of that class, as a separate industry.

(8) A Provisional Order made under this section shall be of no force whatever unless and until it is confirmed by Parliament, and if, while the Bill confirming any such Order is pending in either House of Parliament, a petition is presented against the Order, the Bill may be referred to a Select Committee, and the petitioner shall be allowed to appear and oppose as in the case of Private Bills, and any Act confirming any Provisional Order under this section may be repealed, altered, or amended by a Provisional Order made and confirmed in like manner.

(9) Any expenses incurred by the Secretary of State in respect of any such Order, Provisional Order, or confirming Bill shall be defrayed out of moneys provided by Parliament.

(10) Nothing in this section shall affect the rights of a workman to recover compensation in respect of a disease to which this section does not apply, if the disease is a personal injury by accident within the meaning of this Act.

9.—(1) This Act shall not apply to persons in the naval or military service of the Crown, but otherwise shall apply to workmen employed by or under

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the Crown to whom this Act would apply if the employer were a private person:

Provided that in the case of a person employed in the private service of the Crown, the head of that department of the Royal Household in which he was employed at the time of the accident shall be deemed to be his employer.

(2) The Treasury may, by warrant laid before Parliament, modify for the purposes of this Act their warrant made under section one of the Superannuation Act, 1887, and notwithstanding anything in that Act, or any such warrant, may frame schemes with a view to their being certified by the Registrar of Friendly Societies under this Act.

10.—(1) The Secretary of State may appoint such legally qualified medical practitioners to be medical referees for the purposes of this Act as he may, with the sanction of the Treasury, determine, and the remuneration of, and other expenses incurred by, medical referees under this Act shall, subject to regulations made by the Treasury, be paid out of moneys provided by Parliament.

Where a medical referee has been employed as a medical practitioner in connection with any case by or on behalf of an employer or workman or by any insurers interested, he shall not act as medical referee in that case.

(2) The remuneration of an arbitrator appointed by a judge of county courts under the Second Schedule to this Act shall be paid out of moneys provided by Parliament in accordance with regulations made by the Treasury.

11.—(1) If it is alleged that the owners of any ship are liable as such owners to pay compensation under this Act, and at any time that ship is found in any port or river of England or Ireland, or within three miles of the coast thereof, a judge of any court of record in England or Ireland may, upon its being shown to him by any person applying in accordance with the rules of the court that the owners are probably liable as such to pay such compensation, and that none of the owners reside in the United Kingdom, issue an order directed to any officer of customs or other officer named by the judge requiring him to detain the ship until such time as the owners, agent, master, or consignee thereof have paid such compensation, or have given security, to be approved by the judge, to abide the event of any proceedings that may be instituted to recover such compensation and to pay such compensation and costs as may be awarded thereon; and any officer of customs or other officer to whom the order is directed shall detain the ship accordingly.

(2) In any legal proceeding to recover such compensation, the person giving security shall be made defendant, and the production of the order of the judge, made in relation to the security, shall be conclusive evidence of the liability of the defendant to the proceeding.

(3) Section six hundred and ninety-two of the Merchant Shipping Act, 1894, shall apply to the detention of a ship under this Act as it applies to the detention of a ship under that Act, and, if the owner of a ship is a corporation, it shall for the purposes of this section be deemed to reside in the United Kingdom if it has an office in the United Kingdom at which service of writs can be effected.

12.—(1) Every employer in any industry to which the Secretary of State may direct that this section shall apply shall, on or before such day in every year as the Secretary of State may direct, send to the Secretary of State a correct return specifying the number of injuries in respect of which compensation has been paid by him under this Act during the previous year,

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and the amount of such compensation, together with such other particulars as to the compensation as the Secretary of State may direct, and in default of complying with this section shall be liable on conviction under the Summary Jurisdiction Acts to a fine not exceeding five pounds.

(2) Any regulations made by the Secretary of State containing such directions as aforesaid shall be laid before both Houses of Parliament as soon as may be after they are made.

13. In this Act, unless the context otherwise requires —

"Employer" includes any body of persons corporate or unincorporate and the legal personal representative of a deceased employer, and, where the services of a workman are temporarily lent or let on hire to another person by the person with whom the workman has entered into a contract of service or apprenticeship, the latter shall, for the purposes of this Act, be deemed to continue to be the employer of the workman whilst he is working for that other person;

"Workman" does not include any person employed otherwise than by way of manual labour whose remuneration exceeds two hundred and fifty pounds a year, or a person whose employment is of a casual nature and who is employed otherwise than for the purposes of the employer's trade or business, or a member of a police force, or an out worker, or a member of the employer's family dwelling in his house, but, save as aforesaid, means any person who has entered into or works under a contract of service or apprenticeship with an employer, whether by way of manual labour, clerical work, or otherwise, and whether the contract is expressed or implied, is oral or in writing;

Any reference to a workman who has been injured shall, where the workman is dead, include a reference to his legal personal representative or to his dependants or other person to whom or for whose benefit compensation is payable;

"Dependants" means such of the members of the workman's family as were wholly or in part dependent upon the earnings of the workman at the time of his death, or would but for the incapacity due to the accident have been so dependent, and where the workman, being the parent or grandparent of an illegitimate child, leaves such a child so dependent upon his earnings, or, being an illegitimate child, leaves a parent or grandparent so dependent upon his earnings, shall include such an illegitimate child and parent or grandparent respectively;

"Member of a family" means wife or husband, father, mother, grandfather, grandmother, stepfather, stepmother, son, daughter, grandson, granddaughter, stepson, stepdaughter, brother, sister, half-brother, half-sister;

"Ship," "vessel," "seaman," and "port" has the same meanings as in the Merchant Shipping Act, 1894;

"Manager," in relation to a ship, means the ship's husband or other person to whom the management of the ship is entrusted by or on behalf of the owner;

"Police force" means a police force to which the Police Act, 1890, or the Police (Scotland) Act, 1890, applies, the City of London Police Force, the Royal Irish Constabulary, and the Dublin Metropolitan Police Force;

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"Outworker" means a person to whom articles or materials are given out to be made up, cleaned, washed, altered, ornamented, finished, or repaired, or adapted for sale, in his own home or on other premises not under the control or management of the person who gave out the materials or articles;

The exercise and performance of the powers and duties of a local or other public authority shall, for the purposes of this Act, be treated as the trade or business of the authority;

"County court," "judge of the county court," "registrar of the county court," "plaintiff," and "rules of court," as respects Scotland, mean respectively sheriff court, sheriff, sheriff clerk, pursuer, and act of sederunt.

14. In Scotland, where a workman raises an action against his employer independently of this Act in respect of any injury caused by accident arising out of and in the course of the employment, the action, if raised in the sheriff court and concluding for damages under the Employers' Liability Act, 1880, or alternatively at common law or under the Employers' Liability Act, 1880, shall, notwithstanding anything contained in that Act, not be removed under that Act or otherwise to the Court of Session, nor shall it be appealed to that court otherwise than by appeal on a question of law; and for the purposes of such appeal the provisions of the Second Schedule to this Act in regard to an appeal from the decision of the sheriff on any question of law determined by him as arbitrator under this Act shall apply.

15.—(1) Any contract (other than a contract substituting the provisions of a scheme certified under the Workmen's Compensation Act, 1897, for the provisions of that Act) existing at the commencement of this Act, whereby a workman relinquishes any right to compensation from the employer for personal injury arising out of and in the course of his employment, shall not, for the purposes of this Act, be deemed to continue after the time at which the workman's contract of service would determine if notice of the determination thereof were given at the commencement of this Act.

(2) Every scheme under the Workmen's Compensation Act, 1897, in force at the commencement of this Act, shall, if re-certified by the Registrar of Friendly Societies, have effect as if it were a scheme under this Act.

(3) The Registrar shall re-certify any such scheme if it is proved to his satisfaction that the scheme conforms, or has been so modified as to conform, with the provisions of this Act as to schemes.

(4) If any such scheme has not been so-recertified before the expiration of six months from the commencement of this Act, the certificate thereof shall be revoked.

16.—(1) This Act shall come into operation on the first day of July nineteen hundred and seven, but, except so far as it relates to references to medical referees, and proceedings consequential thereon, shall not apply in any case where the accident happened before the commencement of this Act.

(2) The Workmen's Compensation Acts, 1897 and 1900, are hereby repealed, but shall continue to apply to cases where the accident happened before the commencement of this Act, except to the extent to which this Act applies to those cases.

17. This Act may be cited as the Workmen's Compensation Act, 1906.

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FIRST SCHEDULE.

SCALE AND CONDITIONS OF COMPENSATION.

(1) The amount of compensation under this Act shall be—

(a) where death results from the injury—

(i) if the workman leaves any dependants wholly dependent upon his earnings, a sum equal to his earnings in the employment of the same employer during the three years next preceding the injury, or the sum of one hundred and fifty pounds, whichever of those sums is the larger, but not exceeding in any case three hundred pounds, provided that the amount of any weekly payments made under this Act, and any lump sum paid in redemption thereof, shall be deducted from such sum, and, if the period of the workman's employment by the said employer has been less than the said three years, then the amount of his earnings during the said three years shall be deemed to be one hundred and fifty-six times his average weekly earnings during the period of his actual employment under the said employer;

(ii) if the workman does not leave any such dependants, but leaves any dependants in part dependent upon his earnings, such sum, not exceeding in any case the amount payable under the foregoing provisions, as may be agreed upon, or, in default of agreement, may be determined, on arbitration under this Act, to be reasonable and proportionate to the injury to the said dependants; and

(iii) if he leaves no dependants, the reasonable expenses of his medical attendance and burial, not exceeding ten pounds;

(b) where total or partial incapacity for work results from the injury, a weekly payment during the incapacity not exceeding fifty per cent. of his average weekly earnings during the previous twelve months, if he has been so long employed, but if not then for any less period during which he has been in the employment of the same employer, such weekly payment not to exceed one pound:

Provided that—

(a) if the incapacity lasts less than two weeks no compensation shall be payable in respect of the first week; and

(b) as respects the weekly payments during total incapacity of a workman who is under twenty-one years of age at the date of the injury, and whose average weekly earnings are less than twenty shillings, one hundred per cent. shall be substituted for fifty per cent. of his average weekly earnings, but the weekly payment shall in no case exceed ten shillings.

(2) For the purposes of the provisions of this schedule relating to "earnings" and "average weekly earnings" of a workman, the following rules shall be observed:—

(a) average weekly earnings shall be computed in such manner as is best calculated to give the rate per week at which the workman was being remunerated. Provided that where by reason of the shortness of the time during which the workman has been in the employment of his employer, or the casual nature of the employment, or the terms of the employment, it is impracticable at the date of the accident to compute the rate of remuneration, regard may be had to the average weekly amount which, during the twelve months previous to the accident, was being earned by a person in the same grade employed at the same work by the same employer, or, if there is no person so employed, by a person in the same grade employed in the same class of employment and in the same district;

(b) where the workman had entered into concurrent contracts of service with two or more employers under which he worked at one time for one such employer and at another time for another such employer, his average weekly earnings shall be computed as if his earnings under all

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such contracts were earnings in the employment of the employer for whom he was working at the time of the accident;

(c) employment by the same employer shall be taken to mean employment by the same employer in the grade in which the workman was employed at the time of the accident, uninterrupted by absence from work due to illness or any other unavoidable cause;

(d) where the employer has been accustomed to pay to the workman a sum to cover any special expenses entailed on him by the nature of his employment, the sum so paid shall not be reckoned as part of the earnings.

(3) In fixing the amount of the weekly payment, regard shall be had to any payment, allowance, or benefit which the workman may receive from the employer during the period of his incapacity, and in the case of partial incapacity the weekly payment shall in no case exceed the difference between the amount of the average weekly earnings of the workman before the accident and the average weekly amount which he is earning or is able to earn in some suitable employment or business after the accident, but shall bear such relation to the amount of that difference as under the circumstances of the case may appear proper.

(4) Where a workman has given notice of an accident, he shall, if so required by the employer, submit himself for examination by a duly qualified medical practitioner provided and paid by the employer, and, if he refuses to submit himself to such examination, or in any way obstructs the same, his right to compensation, and to take or prosecute any proceeding under this Act in relation to compensation, shall be suspended until such examination has taken place.

(5) The payment in the case of death shall, unless otherwise ordered as hereinafter provided, be paid into the county court, and any sum so paid into court shall, subject to rules of court and the provisions of this schedule, be invested, applied, or otherwise dealt with by the court in such manner as the court in its discretion thinks fit for the benefit of the persons entitled thereto under this Act, and the receipt of the registrar of the court shall be a sufficient discharge in respect of the amount paid in:

Provided that, if so agreed, the payment in case of death shall, if the workman leaves no dependants, be made to his legal personal representative, or, if he has no such representative, to the person to whom the expenses of medical attendance and burial are due.

(6) Rules of court may provide for the transfer of money paid into court under this Act from one court to another, whether or not the court from which it is to be transferred is in the same part of the United Kingdom as the court to which it is to be transferred.

(7) Where a weekly payment is payable under this Act to a person under any legal disability, a county court may, on application being made in accordance with rules of court, order that the weekly payment be paid during the disability into court, and the provisions of this schedule with respect to sums required by this schedule to be paid into court, shall apply to sums paid into court in pursuance of any such order.

(8) Any question as to who is a dependant shall, in default of agreement, be settled by arbitration under this Act, or, if not so settled before payment into court under this schedule, shall be settled by the county court, and the amount payable to each dependant shall be settled by arbitration under this Act, or, if not so settled before payment into court under this schedule, by the county court. Where there are both total and partial dependants nothing in this schedule shall be construed as preventing the compensation being allotted partly to the total and partly to the partial dependants.

(9) Where, on application being made in accordance with rules of court, it appears to a county court that, on account of neglect of children on the part of a widow, or on account of the variation of the circumstances of the various dependants, or for any other sufficient cause, an order of the court or an award as to the apportionment amongst the several dependants of any sum paid as compensation, or as to the manner in which any sum payable to any such dependent is to be

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invested, applied, or otherwise dealt with, ought to be varied, the court may make such order for the variation of the former order or the award, as in the circumstances of the case the court may think just.

(10) Any sum which under this schedule is ordered to be invested may be invested in whole or in part in the Post Office Savings Bank by the registrar of the county court in his name as registrar.

(11) Any sum to be so invested may be invested in the purchase of an annuity from the National Debt Commissioners through the Post Office Savings Bank, or be accepted by the Postmaster-General as a deposit in the name of the registrar as such, and the provisions of any statute or regulations respecting the limits of deposits in savings banks, and the declaration to be made by a depositor, shall not apply to such sums.

(12) No part of any money invested in the name of the registrar of any county court in the Post Office Savings Bank under this Act shall be paid out, except upon authority addressed to the Postmaster-General by the Treasury or, subject to regulations of the Treasury, by the judge or registrar of the county court.

(13) Any person deriving any benefit from any moneys invested in a post office savings bank under the provisions of this Act may, nevertheless, open an account in a post office savings bank or in any other savings bank in his own name without being liable to any penalties imposed by any statute or regulations in respect of the opening of accounts in two savings banks, or of two accounts in the same savings bank.

(14) Any workman receiving weekly payments under this Act shall, if so required by the employer, from time to time submit himself for examination by a duly qualified medical practitioner provided and paid by the employer. If the workman refuses to submit himself to such examination, or in any way obstructs the same, his right to such weekly payments shall be suspended until such examination has taken place.

(15) A workman shall not be required to submit himself for examination by a medical practitioner under paragraph (4) or paragraph (14) of this schedule otherwise than in accordance with regulations made by the Secretary of State, or at more frequent intervals than may be prescribed by those regulations.

Where a workman has so submitted himself for examination by a medical practitioner, or has been examined by a medical practitioner selected by himself, and the employer or the workman, as the case may be, has within six days after such examination furnished the other with a copy of the report of that practitioner as to the workman's condition, then, in the event of no agreement being come to between the employer and the workman as to the workman's condition or fitness for employment, the registrar of a county court, on application being made to the court by both parties, may, on payment by the applicants of such fee not exceeding one pound as may be prescribed, refer the matter to a medical referee.

The medical referee to whom the matter is so referred shall, in accordance with regulations made by the Secretary of State, give a cetificate as to the condition of the workman and his fitness for employment, specifying, where necessary, the kind of employment for which he is fit, and that certificate shall be conclusive evidence as to the matters so certified.

Where no agreement can be come to between the employer and the workman as to whether or to what extent the incapacity of the workman is due to the accident, the provisions of this paragraph shall, subject to any regulations made by the Secretary of State, apply as if the question were a question as to the condition of the workman.

If a workman, on being required so to do, refuses to submit himself for examination by a medical referee to whom the matter has been so referred as aforesaid, or in any way obstructs the same, his right to compensation and to take or prosecute any proceeding under this Act in relation to compensation, or, in the case of a workman in receipt of a weekly payment, his right to that weekly payment, shall be suspended until such examination has taken place.

Rules of court may be made for prescribing the manner in which documents are to be furnished or served and applications made under this paragraph and

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the forms to be used for those purposes and, subject to the consent of the Treasury, as to the fee to be paid under this paragraph.

(16) Any weekly payment may be reviewed at the request either of the employer or of the workman, and on such review may be ended, diminished, or increased, subject to the maximum above provided, and the amount of payment shall, in default of agreement, be settled by arbitration under this Act:

Provided that where the workman was at the date of the accident under twenty-one years of age and the review takes place more than twelve months after the accident, the amount of the weekly payment may be increased to any amount not exceeding fifty per cent. of the weekly sum which the workman would probably have been earning at the date of the review if he had remained uninjured, but not in any case exceeding one pound.

(17) Where any weekly payment has been continued for not less than six months, the liability therefor may, on application by or on behalf of the employer, be redeemed by the payment of a lump sum of such an amount as, where the incapacity is permanent, would, if invested in the purchase of an immediate life annuity from the National Debt Commissioners through the Post Office Savings Bank, purchase an annuity for the workman equal to seventy-five per cent. of the annual value of the weekly payment, and as in any other case may be settled by arbitration under this Act, and such lump sum may be ordered by the committee or arbitrator or judge of the county court to be invested or otherwise applied for the benefit of the person entitled thereto: Provided that nothing in this paragraph shall be construed as preventing agreements being made for the redemption of a weekly payment by a lump sum.

(18) If a workman receiving a weekly payment ceases to reside in the United Kingdom, he shall thereupon cease to be entitled to receive any weekly payment, unless the medical referee certifies that the incapacity resulting from the injury is likely to be of a permanent nature. If the medical referee so certifies, the workman shall be entitled to receive quarterly the amount of the weekly payments accruing due during the preceding quarter so long as he proves, in such manner and at such intervals as may be prescribed by rules of court, his identity and the continuance of the incapacity in respect of which the weekly payment is payable.

(19) A weekly payment, or a sum paid by way of redemption thereof, shall not be capable of being assigned, charged, or attached, and shall not pass to any other person by operation of law, nor shall any claim be set off against the same.

(20) Where under this schedule a right to compensation is suspended no compensation shall be payable in respect of the period of suspension.

(21) Where a scheme certified under this Act provides for payment of compensation by a friendly society, the provisions of the proviso to the first subsection of section eight, section sixteen, and section forty-one of the Friendly Societies Act, 1896, shall not apply to such society in respect of such scheme.

(22) In the application of this Act to Ireland the provisions of the County Officers and Courts (Ireland) Act, 1877, with respect to money deposited in the Post Office Savings Bank under that Act shall apply to money invested in the Post Office Savings Bank under this Act.

SECOND SCHEDULE.

ARBITRATION, &C.

(1) For the purpose of settling any matter which under this Act is to be settled by arbitration, if any committee, representative of an employer and his workmen, exists with power to settle matters under this Act in the case of the employer and workmen, the matter shall, unless either party objects by notice in writing sent to the other party before the committee meet to consider the matter, be settled by the arbitration of such committee, or be referred by them in their discretion to arbitration as hereinafter provided.

(2) If either party so objects, or there is no such committee, or the committee so refers the matter or fails to settle the matter within six months from the

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date of the claim, the matter shall be settled by a single arbitrator agreed on by the parties, or in the absence of agreement by the judge of the county court, according to the procedure prescribed by rules of court.

(3) In England the matter, instead of being settled by the judge of the county court, may, if the Lord Chancellor so authorises, be settled according to the like procedure, by a single arbitrator appointed by that judge, and the arbitrator so appointed shall, for the purposes of this Act, have all the powers of that judge.

(4) The Arbitration Act, 1889, shall not apply to any arbitration under this Act; but a committee or an arbitrator may, if they or he think fit, submit any question of law for the decision of the judge of the county court, and the decision of the judge on any question of law, either on such submission, or in any case where he himself settles the matter under this Act, or where he gives any decision or makes any order under this Act, shall be final, unless within the time and in accordance with the conditions prescribed by rules of the Supreme Court either party appeals to the Court of Appeal; and the judge of the county court, or the arbitrator appointed by him, shall, for the purpose of proceedings under this Act, have the same powers of procuring the attendance of witnesses and the production of documents as if the proceedings were an action in the county court.

(5) A judge of county courts may, if he thinks fit, summon a medical referee to sit with him as an assessor.

(6) Rules of court may make provision for the appearance in any arbitration under this Act of any party by some other person.

(7) The costs of and incidental to the arbitration and proceedings connected therewith shall be in the discretion of the committee, arbitrator, or judge of the county court, subject as respects such judge and an arbitrator appointed by him to rules of court. The costs, whether before a committee or an arbitrator or in the county court, shall not exceed the limit prescribed by rules of court, and shall be taxed in manner prescribed by those rules and such taxation may be reviewed by the judge of the county court.

(8) In the case of the death, or refusal or inability to act, of an arbitrator, the judge of the county court may, on the application of any party, appoint a new arbitrator.

(9) Where the amount of compensation under this Act has been ascertained, or any weekly payment varied, or any other matter decided under this Act, either by a committee or by an arbitrator or by agreement, a memorandum thereof shall be sent, in manner prescribed by rules of court, by the committee or arbitrator, or by any party interested, to the registrar of the county court who shall, subject to such rules, on being satisfied as to its genuineness, record such memorandum in a special register without fee, and thereupon the memorandum shall for all purposes be enforceable as a county court judgment.

Provided that—

(*a*) no such memorandum shall be recorded before seven days after the dispatch by the registrar of notice to the parties interested; and

(*b*) where a workman seeks to record a memorandum of agreement between his employer and himself for the payment of compensation under this Act and the employer, in accordance with rules of court, proves that the workman has in fact returned to work and is earning the same wages as he did before the accident, and objects to the recording of such memorandum, the memorandum shall only be recorded, if at all, on such terms as the judge of the county court, under the circumstances, may think just; and

(*c*) the judge of the county court may at any time rectify the register; and

(*d*) where it appears to the registrar of the county court, on any information which he considers sufficient, that an agreement as to the redemption of a weekly payment by a lump sum, or an agreement as to the amount of compensation payable to a person under any legal dis-

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ability, or to dependants, ought not to be registered by reason of the inadequacy of the sum or amount, or by reason of the agreement having been obtained by fraud or undue influence, or other improper means, he may refuse to record the memorandum of the agreement sent to him for registration, and refer the matter to the judge who shall, in accordance with rules of court, make such order (including an order as to any sum already paid under the agreement) as under the circumstances he may think just; and

(e) the judge may, within six months after a memorandum of an agreement as to the redemption of a weekly payment by a lump sum, or of an agreement as to the amount of compensation payable to a person under any legal disability, or to dependants, has been recorded in the register, order that the record be removed from the register on proof to his satisfaction that the agreement was obtained by fraud or undue influence or other improper means, and may make such order (including an order as to any sum already paid under the agreement) as under the circumstances he may think just.

(10) An agreement as to the redemption of a weekly payment by a lump sum if not registered in accordance with this Act shall not, nor shall the payment of the sum payable under the agreement, exempt the person by whom the weekly payment is payable from liability to continue to make that weekly payment, and an agreement as to the amount of compensation to be paid to a person under a legal disability or to dependants, if not so registered, shall not, nor shall the payment of the sum payable under the agreement, exempt the person by whom the compensation is payable from liability to pay compensation, unless, in either case, he proves that the failure to register was not due to any neglect or default on his part.

(11) Where any matter under this Act is to be done in a county court, or by, to, or before the judge or registrar of a county court, then, unless the contrary intention appear, the same shall, subject to rules of court, be done in, or by, to, or before the judge or registrar of, the county court of the district in which all the parties concerned reside, or if they reside in different districts the district prescribed by rules of court, without prejudice to any transfer in manner provided by rules of court.

(12) The duty of a judge of county courts under this Act, or in England of an arbitrator appointed by him, shall, subject to rules of court, be part of the duties of the county court, and the officers of the court shall act accordingly, and rules of court may be made both for any purpose for which this Act authorises rules of court to be made, and also generally for carrying into effect this Act so far as it affects the county court, or an arbitrator appointed by the judge of the county court, and proceedings in the county court or before any such arbitrator, and such rules may, in England, be made by the five judges of county courts appointed for the making of rules under section one hundred and sixty-four of the County Courts Act, 1888, and when allowed by the Lord Chancellor, as provided by that section, shall have full effect without any further consent.

(13) No court fee, except such as may be prescribed under paragraph (15) of the First Schedule to this Act, shall be payable by any party in respect of any proceedings by or against a workman under this Act in the court prior to the award.

(14) Any sum awarded as compensation shall, unless paid into court under this Act, be paid on the receipt of the person to whom it is payable under any agreement or award, and the solicitor or agent of a person claiming compensation under this Act shall not be entitled to recover from him any costs in respect of any proceedings in an arbitration under this Act, or to claim a lien in respect of such costs on, or deduct such costs from, the sum awarded or agreed as compensation, except such sum as may be awarded by the committee, the arbitrator, or the judge of the county court, on an application made either by the person claiming compensation, or by his solicitor or agent, to determine the amount of costs to be paid to the solicitor or agent, such sum to be awarded subject to taxation and to the scale of costs prescribed by rules of court.

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(15) Any committee, arbitrator, or judge may, subject to regulations made by the Secretary of State and the Treasury, submit to a medical referee for report any matter which seems material to any question arising in the arbitration.

(16) The Secretary of State may, by order, either unconditionally or subject to such conditions or modifications as he may think fit, confer on any committee representative of an employer and his workmen, as respects any matter in which the committee act as arbitrators, or which is settled by agreement submitted to and approved by the committee, all or any of the powers conferred by this Act exclusively on county courts or judges of county courts, and may by the order provide how and to whom the compensation money is to be paid in cases where, but for the order, the money would be required to be paid into court, and the order may exclude from the operation of provisoes (*d*) and (*e*) of paragraph (9) of this Schedule agreements submitted to and approved by the committee, and may contain such incidental, consequential, or supplemental provisions as may appear to the Secretary of State to be necessary or proper for the purposes of the order.

(17) In the application of this Schedule to Scotland —

(*a*) "County court judgment" as used in paragraph (9) of this Schedule means a recorded decree arbitral:

(*b*) Any application to the sheriff as arbitrator shall be heard, tried, and determined summarily in the manner provided by section fifty-two of the Sheriff Courts (Scotland) Act, 1876, save only that parties may be represented by any person authorised in writing to appear for them and subject to the declaration that it shall be competent to either party within the time and in accordance with the conditions prescribed by act of sederunt to require the sheriff to state a case on any question of law determined by him, and his decision thereon in such case may be submitted to either division of the Court of Sessions, who may hear and determine the same and remit to the sheriff with instruction as to the judgment to be pronounced, and an appeal shall lie from either of such divisions to the House of Lords:

(*c*) Paragraphs (8), (4), and (8) shall not apply.

(18) In the application of this schedule to Ireland the expression "judge of the county court" shall include the recorder of any city or town, and an appeal shall lie from the Court of Appeal to the House of Lords.

THIRD SCHEDULE.

Description of Disease.	Description of Process.
Anthrax - - - -	Handling of wool, hair, bristles, hides, and skins.
Lead poisoning or its sequelæ -	Any process involving the use of lead or its preparations or compounds.
Mercury poisoning or its sequelæ	Any process involving the use of mercury or its preparations or compounds.
Phosphorus poisoning or its sequelæ.	Any process involving the use of phosphorus or its preparations or compounds.
Arsenic poisoning or its sequelæ	Any process involving the use of arsenic or its preparations or compounds.
Ankylostomiasis - - -	Mining.

Where regulations or special rules made under any Act of Parliament for the protection of persons employed in any industry against the risk of contracting lead poisoning require some or all of the persons employed in certain processes specified in the regulations or special rules to be periodically examined by a certifying or other surgeon, then, in the application of this schedule to that industry, the expression "process" shall, unless the Secretary of State otherwise directs, include only the processes so specified.

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INTERNATIONAL LABOR STATISTICS.

Important Events in the Social Movement of the Last Century.

The following list of dates, originally compiled by Professor Charles Gide in connection with his report on Social Economy at the Paris Exposition of 1900, exhibits the beginnings of important social institutions and gives in brief compass an interesting view of the great social movements of the nineteenth century. The list has been subjected to revision in some particulars, and is not here republished in all its details.

1802. First law regulating child labor.—England: Law for the preservation of health and morality of apprentices in cotton and woolen factories.
1804. Savings bank.—England, by Miss Wakefield, Tottenham.
1806. *Conseils des prud'hommes.* (Board of experts to adjust disputes between employers and employees).—Lyons, France.
1808. *Dépots de mendicité.* (Shelter for beggars).—France (law of 5 July.)
1818. Agricultural labor colonies.—Holland, by Van der Bosch.
1825. Strikes.—England: law of 1825 recognizing right of combination.
1831. Protection of wages and abolition of truck system.—England.
1831. Workingmen's homes.—Philadelphia, Building and loan association.
1831. Agricultural co-operative association.—Ralahine, Ireland.
1831. Co-operative society of producers.—Paris, by Buchez.
1832. War on alcoholism.—England, Teetotalers' Society, by Livesey, Preston. (New York, Good Templars' Society, 1853.)
1833. Factory inspection.—England.
1834. School savings bank.—France, by Dulac, Le Mans.
1839. Protection of the homestead.—The homestead law, Texas.
1840. Postage stamps.—England, by Rowland Hill (Jan. 9.)
1842. Profit-sharing.—Paris, by Leclaire.
1844. Legislative limitation of women's work.—England. Ten-hour law of June 6.
1844. Consumers' co-operative society.—England. The Pioneers of Rochdale (Dec. 21.)
1846. Public health law.—England: law of August 26.
1848. Legislative limitation of working hours of adults.—France (12 hour day.)
1849. Agricultural banks.—Flammersfeld, (Rhenish Prussia), by Raiffeisen.
1850. State Pension Funds.—France.
1851. Municipal restaurant.—France by Taulier at Grenoble.
1851. Gratuitous legal aid.—France (law of 22 Jan.)
1852. Elberfeld relief system.—Germany.
1852. People's bank.—Germany, by Schulze of Delitssch.
1856. Eight hour day.—Australia, by trade unions of Melbourne.
1856. Bureau of Municipal Hygiene.—Turin, Italy.
1861. Sunday rest.—Switzerland, Society for Sunday observance.
1861. Postal savings bank.—England.
1862. Workingmen's Club and Institute Union.—England.
1864. Wholesale Co-operative (purchasing) Society.—England, Manchester.
1865. Gothenburg system of regulating the sale of liquor.—Sweden, by Pastor Wielselgreen.
1867. Employers' association for the prevention of accidents in factories.—France, Mulhouse, by Engel Dollfus.
1867. Exposition of social economy.—Paris, by Le Play.
1869. Conciliation boards.—England, Wolverhampton building trades.
1869. Bureau of Labor Statistics.—Massachusetts, (June 23.)
1870. Charity Organization Society.—London.
1871. Legal recognition of trade unions.—England.

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1872. Workingmen's representatives elected in coal mines.—England.
1872. Night shelter.—France, Marseille.
1872. People's Palace.—France, Mulhouse.
1874. Union label.—San Francisco* cigarmakers' white label.
1875. Sliding scale of wages.—England, miners of Staffordshire.
1877. Factory councils or grievance committees. Under the name of "chambers of explanation," in the coal mines of Mariemont and Bascoup (Belgium), by Weiler.
1879. Mutual savings societies.—La Fourmi, Paris.
1880. *Familistére de Guise.*—France, by Godin
1880. *Le Vooruit* (socialistic co-operation.)—Ghent.
1883. Compulsory insurance of workingmen.—Germany (law against sickness, June 15, 1883; against accidents, July 6, 1884; against invalidity, June 22, 1889.)
1884. University Settlement.—Toynebee Hall, London.
1887. Boards or councils of industry and labor.—Belgium (law of Aug. 16.)
1887. *Bourses du Travail.* (Workmen's exchanges.)—Paris.
1888. Garden cities.—England. Port Sunlight, by Messrs. Lever.
1888. Government monopoly of the sale of liquor.—Switzerland.
1889. Workmen's gardens.—Sedan, by Mme. Hervieu.
1889. Consumers' League.—New York.
1890. International congress for the regulation of labor.—Berlin. (15–29 March.)
1892. Sanatoria for consumptives.—Germany, Frankfort-on-Main.
1893. Compulsory medical aid.—France, (law of July 15.)
1893. Workmen's glass factory of Albi. (Socialistic association for production.)
1893. Municipal insurance against unemployment.—Berne, Switzerland.
1893. People's dwellings.—Rowton House, London.
1894. Compulsory industrial arbitration.—New Zealand.
1894. Museums of social economy.—*Musée Social* established in Paris by Comte de Chambrun.
1896. Wages boards established to fix minimum rates of wages in industries subject to sweating.—Victoria, Australia.
1898. People's Universities.—Paris, by M. Deherme.
1898. Old age pensions.—New Zealand, (law of Nov. 1.)
1900. International Association for Labor Legislation, Paris, Congress of July 25 (head quarters at Basle, Switzerland.)

Wages and Hours of Bricklayers and Masons.

According to the annual report of the secretary of the Bricklayers' and Masons' International Union about 40 percent of its local branches still work nine hours a day, while a majority (492) of the local bodies have shortened working hours to eight a day, or 44 a week. In New York, 22 of the 80 local unions reported a nine-hour schedule, the average rate of wages per hour being 50.1 cents. Ten years ago the average rate was 41 cents an hour. Notwithstanding the increase the New York average is still below that for the United States and Canada (55⅞ cents), although the New York City rate of 70 cents exceeds it. Ten years ago the average rate for the entire country was 43½ cents an hour, which would signify an increase of 28 percent in the ten years 1897–1906. The following table, compiled from the secretary's report, will permit a comparison in wages and hours between different sections of the country.

*Erroneously given as Illinois in the original list.

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WAGE RATES IN BRICKLAYERS' UNIONS OF THE UNITED STATES AND CANADA.

STATES, TERRITORIES AND PROVINCES.	Number of unions.	UNIONS WITH SCHEDULE OF—		HOURLY WAGE RATE 1906.		Increase since 1897.
		8 hours.	9 hours.	Highest.	Average.	
				Cents.	*Cents.*	*Cents.*
Alabama	9	2	.....	62½	54½	14½
Alberta	3	2	.....	66⅔	61⅔	†
Arizona	2	2	.....	87½	81¼	†
Arkansas	8	7	.....	75	63	†
British Columbia	2	2	.....	62½	59¼	†
California	.....	All	.....	75	75	12½
Colorado	.....	All	.....	68¾	62	8¾
Connecticut	27	24	.....	55	47½	8½
Delaware	2	1	.....	51	42	5½
Florida	10	.....	3	62½	47	10½
Georgia	16	.....	16	50	40⅝	†
Idaho	.....	All	.....	75	67½	†
Illinois	57	.....	27	65	57½	14
Indiana	42	.....	22	67½	51¼	8¾
Indian Territory	.....	All	.....	70	61	†
Iowa	21	.....	11	62½	52½	12
Kansas	.....	All	.....	70	57	7
Kentucky	13	9	.....	62½	57⅛	13⅛
Louisiana	6	5	.....	75	66⅔	16⅔
Maine	13	11	.....	50	42½	9
Manitoba	1	.....	1	55	55	5
Maryland	6	4	.....	62½	54	22½
Massachusetts	.....	All but 1	1	60	49½	10½
Michigan	34	.....	22	57	48	8½
Minnesota	13	7	.....	60	49½	9½
Mississippi	8	1	.....	60	52½	12½
Missouri	19	14	.....	65	58½	5½
Montana	.....	All	.....	75	75	13⅛
Nebraska	.....	All	.....	62½	57½	7½
Nevada	.....	All	.....	1.00	87½	†
New Brunswick	1	.....	1	40	40	6⅔
New Hampshire	9	5	.....	50	42	3
New Jersey	38	34	.....	65	54	15⅛
New Mexico	.....	All	.....	75	62½	†
New York	80	.....	22	70	50.6	9.6
North Carolina	7	.....	7	45	34⅜	5⅜
North Dakota	1	.....	1	50	50	†
Nova Scotia	2	.....	2	40	40	6⅔
Ohio	60	.....	35	60	50	2
Oklahoma	.....	All	.....	70	61	†
Ontario	29	.....	23	56¼	41	8¾
Oregon	.....	All	.....	68¾	66	21
Pennsylvania	75	.....	48	62½	47	11.6
Quebec	4	.....	4	45	38½	3½
Rhode Island	6	5	.....	50	45	7½
South Carolina	5	.....	5	40	37	†
South Dakota	3	1	.....	62½	54½	†
Tennessee	6	2	.....	70	55½	8
Texas	.....	All	.....	75	67½	13⅛
Utah	.....	All	.....	68¾	64	†
Virginia	.....	.....	.....	.....	51⅜	6⅔
Vermont	.....	.....	.....	.....	38	†
West Virginia	.....	.....	.....	.....	55	12½
Washington	.....	All	.....	75	68¾	17
Wisconsin	24	7	.....	60	48¾	12½
Wyoming	.....	All	.....	70	70	†
District of Columbia	.....	All	.....	62½	62½	12½

†Not appearing in the statistics of 1897, no comparisons could be made.

One of the main reasons, says the secretary, why so many of our unions are still on a nine-hour basis is because they are unwilling to sacrifice an hour's pay in order to obtain the reduction in the hours. In other words, these unions want both an advance of wages and a reduction of hours at one and the same time;

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otherwise they choose to remain as they are. The trouble is that members of such unions are not very good students of the history that has been made in connection with the movement for a shorter workday. If they were they would have discovered the fact long ago that unions that accepted reduced hours at a sacrifice of wages were soon after in possession of the same wages as were formerly paid for the longer workday, and gradually forging ahead to still higher rates.

Census of Wages in England.

The British Board of Trade has now undertaken an extensive inquiry into earnings and hours of labor of all classes of wage workers in 1906 to be based on about 200,000 reports from employers. No such wage census has been taken in England since 1886, and the present inquiry will furnish a basis for measuring the changes that have taken place in the intervening twenty years. The particulars to be furnished include (1) the total pay-roll for one week in each month of 1906, including the total number of workers receiving wages and the amount so received; (2) the aggregate pay-roll for the year; (3) the number and earnings of workingpeople, classified by occupations, who worked full time, short time, and over-time respectively in the last week of September.

The New English Trade Disputes Act.

The famous Taff Vale decision of the British House of Lords holding trade unions responsible in damages for tortious acts and thereby causing labor men to enter politics has been reversed by an act of Parliament of December 21, 1906. "The act," says the *Board of Trade Labor Gazette,* "makes an important change in the law relating to conspiracy. By the common law persons who agree together to do an act may often be indicted for the crime of conspiracy, or sued for damages, in cases where the doing of the act by a single person would not be a crime or actionable. The Conspiracy and Protection of Property Act, 1875, provided that an agreement by two or more persons to do an act in furtherance or contemplation of a trade dispute should not be indictable as a conspiracy if such acts committed by one person would not be punishable as a crime. The new act now

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goes one step further, and provides that 'an act done in pursuance of an agreement or combination by two or more persons shall, if done in contemplation or furtherance of a trade dispute, not be actionable unless the act, if done without any such agreement or combination, would be objectionable.' And it is further provided that 'an action against a trade union, whether of workmen or masters, or against any members or officials thereof on behalf of themselves and all other members of the trade union in respect of any tortious act alleged to have been committed by or on behalf of the trade union, shall not be entertained by any court.' It will be seen at once that these two provisions will prevent the recurrence of actions such as have occupied the time of the courts during the last few years, in which damages have been claimed against trade unions and their officials for conspiracy, inducing employers to dismiss workmen, etc. The Taff Vale Railway case decided that a registered trade union may be sued. This act now provides that a trade union may not be sued in tort, but it leaves a union liable to be sued in contract. It is further to be noticed that 'an act done by a person in contemplation or furtherance of a trade dispute shall not be actionable on the ground only that it induces some other to break a contract of employment or that it is an interference with the trade, business, or employment of some other person, or with the right of some other person to dispose of his capital or his labor as he wills.' "*

The new act reverses two other recent judicial decisions on the right of combination, in addition to that in the Taff Vale Railway case, namely: (1) Quinn v. Leathem, in which it was held (1901) that it was an actionable wrong for union members to strike to secure the discharge of non-unionists, and (2) Lyons v. Wilkins, where it was decided (1899) that picketing for any purpose except to obtain or convey information was illegal. Section 2 of the act expressly legalizes peaceful picketing.

* A large amount of valuable information regarding the legal status of trade unions, strikes, picketing, etc., is assembled in the recent Report of the Royal Commission on Trade Disputes and Trade Combinations [Cd. 2825 and 2826.]

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CHAPTER 47. [6 EDW. 7]

AN ACT to provide for the regulation of Trades Unions and Trade Disputes.

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. The following paragraph shall be added as a new paragraph after the first paragraph of section three* of the Conspiracy and Protection of Property Act, 1875:—

"An act done in pursuance of an agreement or combination by two or more persons shall, if done in contemplation or furtherance of a trade dispute, not be actionable unless the act, if done without any such agreement or combination, would be actionable."

2.—(1) It shall be lawful for one or more persons, acting on their own behalf or on behalf of a trade union or of an individual employer or firm in contemplation or furtherance of a trade dispute, to attend at or near a house or place where a person resides or works or carries on business or happens to be, if they so attend merely for the purpose of peacefully obtaining or communicating information, or of peacefully persuading any person to work or abstain from working.

(2) Section seven of the Conspiracy and Protection of Property Act, 1875, is hereby repealed from "attending at or near" to the end of the section.†

3. An act done by a person in contemplation or furtherance of a trade dispute shall not be actionable on the ground only that it induces some other person to break a contract of employment or that it is an interference with the trade, business, or employment of some other person, or with the right of some other person to dispose of his capital or his labour as he wills.

4.—(1) An action against a trade union, whether of workmen or masters, or against any members or officials thereof on behalf of themselves and all other members of the trade union in respect of any tortious act alleged to have been committed by or on behalf of the trade union, shall not be entertained by any court.

(2) Nothing in this section shall affect the liability of the trustees of a trade union to be sued in the events provided for by the Trades Union Act, 1871, section nine, except in respect of any tortious act committed by or on behalf of the union in contemplation or in furtherance of a trade dispute.

5.—(1) This Act may be cited as the Trade Disputes Act, 1906, and the Trade Union Acts, 1871 and 1876, and this Act may be cited together as the Trade Union Acts, 1871 to 1906.

(2) In this Act the expression "trade union" has the same meaning as in the Trade Union Acts, 1871 and 1876, and shall include any combination as

*The paragraph referred to reads as follows:
"3. An agreement or combination by two or more persons to do or procure to be done any act in contemplation or furtherance of a trade dispute between employers and workmen shall not be indictable as a conspiracy if such act committed by one person would not be punishable as a crime."

†The paragraph repealed reads as follows:
Attending at or near the house or place where a person resides, or works, or carries on business, or happens to be, or the approach to such house or place, in order merely to obtain or communicate information, shall not be deemed a watching or besetting within the meaning of this section.

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therein defined, notwithstanding that such combination may be the branch of a trade union.

(3) In this Act and in the Conspiracy and Protection of Property Act, 1875, the expression "trade dispute" means any dispute between employers and workmen, or between workmen and workmen, which is connected with the employment or non-employment or the terms of the employment, or with the conditions of labour, of any person, and the expression "workmen" means the last-mentioned Act, the words "between employers and workmen" shall all persons employed in trade or industry, whether or not in the employment of the employer with whom a trade dispute arises; and, in section three of be repealed. [21st December 1906.]

State of Trade in Great Britain.

The condition of business in England, which had grown steadily worse from 1899–1900 to 1904, has been improving in the last two years, and 1906 was a good average year. The proportion of unemployed unionists, which had risen to 6.5 percent in 1904 fell to 5.4 percent in 1905 and 4.1 percent in 1906, and the upward tendency of wages which began in the second half of 1905 continued throughout 1906. The level of prices was higher in 1906 than in any other year of the decade, and as a result of the growing prosperity there were more wage earners involved in labor disputes than for many years.

YEAR.	Mean percentage of trade unions members unemployed at end of each month.	Estimated increase (+) or decrease (—) in weekly wages (£1=$5)	Number of wage workers involved in disputes.	Index number of wholesale prices (1900=100)
1896	3.4	+ $130,760	198,190	88.2
1897	3.5	+ 152,470	230,267	90.1
1898	3.0	+ 402,860	253,907	93.2
1899	2.4	+ 449,080	180,217	92.3
1900	2.9	+1,033,860	188,538	100.0
1901	3.8	— 389,510	179,546	96.9
1902	4.4	— 364,325	256,667	96.5
1903	5.1	— 192,785	116,901	96.9
1904	6.5	— 196,390	87,208	98.3
1905	5.4	— 20,435	93,503	97.6
1906	4.1	+ 277,730	215,446	100.5

Unemployment in France, 1901.

At the census of occupations taken in France in March, 1901, there were reported 314,530 unemployed wage earners, constituting about three percent of the entire number of employees. These figures do not include persons carrying on manufacturing

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at home, nor persons employed at casual or irregular labor, but only those who usually have regular work and on the day of the census were without employment. Those who on that day were employed at some other occupation than their regular trade or profession were not included among the unemployed. The following table gives the figures for each of the census years 1896 and 1901:

	NUMBER OF EMPLOYEES.		NUMBER UNEMPLOYED.		PER CENT. UNEMPLOYED.	
OCCUPATION.	1901.	1896.	1901.	1896.	1901	1896.
Occupation not specified...	18,337	30,512	10,647	8,934	58.1	29.3
Fishing	30,689	24,609	870	630	2.8	2.6
Forestry	32,015	36,477	538	687	1.7	1.9
Agriculture and stock rais'g	2,903,807	3,261,079	46,639	37,244	1.3	1.1
Mining	190,281	155,581	877	1,329	0.5	0.9
Quarrying	60,686	55,340	909	554	1.9	10.0
Industries not specified....	7,811	6,778	3,721	1,700	47.6	2.5
Food products	287,968	274,740	9,534	8,436	3.3	3.1
Chemicals	102,339	77,023	438	401	0.4	0.5
Rubber, paper	66,309	54,283	1,115	1,076	1.7	2.0
Printing	87,549	71,092	3,340	3,126	3.8	4.4
Textiles	653,760	637,471	16,996	14,889	2.6	2.3
Clothing	490,960	430,171	32,051	29,472	6.5	6.9
Straw, feathers and hair...	18,195	15,974	831	466	4.6	2.9
Skins and hides	163,036	168,980	6,973	8,000	4.3	4.7
Wood working	376,682	334,081	19,405	16,576	5.2	5.0
Metal working	75,420	55,717	235	102	3.1	1.8
Common metals	519,206	415,936	23,823	16,931	4.6	4.1
Precious metals	23,361	20,428	945	1,169	4.1	5.7
Lapidary work	2,400	2,035	68	56	0.3	0.3
Stone working	33,415	29,373	4,027	3,290	12.1	11.2
Excavation, construction..	377,575	342,596	28,511	23,882	0.8	0.7
Pottery and glass	146,195	139,211	1,644	1,736	1.1	1.3
Transfer	314,590	273,065	33,612	29,491	10.6	10.8
Transportation	431,825	351,741	9,443	7,701	2.2	2.2
Diverse trade	701,135	601,108	32,635	25,750	4.7	4.3
For'n comm'ce, agenc's, etc.	21,356	21,754	545	398	2.6	1.8
Banks, insurance, etc.	51,566	41,806	383	351	7.4	8.3
Liberal professions	206,760	164,624	4,456	3,512	2.2	2.1
Personal service	24,203	20,483	1,472	1,195	6.1	5.8
Domestic service	956,195	779,380	17,791	17,198	1.9	2.2
Public and general service..	1,221,216	1,159,036	38	375	†0.0	†0.0
Public industries	76,353	56,460	18	218	†0.0	†0.0
Total	10,673,195	10,099,944	314,530	266,875	2.94	2.42

† Less than one-tenth of one per cent.

Recent Development of Labor Regulations in Government Contract Work in Austria.

The official journal of the Austrian bureau of labor statistics, *Soziale Rundschau,* December, 1906, contains an article under the above-mentioned title bringing down to date its special report of 1900 on the subject. It is worthy of note that the questions

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of wages and hours are seldom included in such regulations, whereas particular care is taken to ensure the safety and health of workmen employed. The protection of citizen labor against immigrants is usually sought; thus the contracts let by the Navy Department forbid the employment of alien workmen except when native workmen can not be secured save at excessive wages. Similarly, only citizens may be employed in the construction of the government railways and wherever possible residents of the province in which the work is being performed.

The methods of dealing with a strike on public contract work have been considered by the State Council of Labor and decided as follows:

If a contractor is prevented from fulfilling his contract within the time limit agreed upon, he may be relieved of the consequences only if he proves that the strike broke out or continues through no fault of his. This proof must regularly be produced through the testimony of the government industrial inspector. Should a strike for an advance in wages succeed, the government is not bound to alter the contract price of the work. If the contractor had the right to ask for a compensation for a raise in wages, the government would be in doubt as to the final amount to be paid, and, besides, the contractor would not have any reason to refuse a demand for a raise in wages, as long as he would not have to bear the cost.

While, as remarked, it is not usual to fix the wages of laborers employed on public contract work, there are some exceptions to the rule. Thus, the city of Brünn requires contractors to pay the prevailing local wages. The Council of Labor in June, 1903, adopted the following resolution as an expression of policy: Bidders must give precise data of the wages they expect to pay, and indicated rates are the minimum they are bound to pay. The rates of wages must be considered in connection with the total amount of the bid, and, other conditions being equal, the bidder offering the highest wages should be preferred. Where there are established local rates of wages, bids including lower rates must not be considered. Wages fixed by trade agreement or any other understanding between employers' and workmens' organizations must be considered as usual local wages.

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RECENT LABOR REPORTS.

UNITED STATES.

Census Bulletin No. 68: Child labor in the District of Columbia, by J. A. Hill, Bureau of the Census, Department of Commerce and Labor, Washington, 1906, 21 pages.

Census Bulletin No. 69: Child labor in the United States; based on unpublished information derived from the schedules of the twelfth census. By Jos. A. Hill of the Bureau of the Census, Washington, 1907, 200 pages.

CONNECTICUT.

Twenty-second annual report of the bureau of labor statistics for the year ended November 30, 1906. Wm. H. Scoville, commissioner, Hartford, 1906, pages 303+91.

Contents: Introduction and abstract of former reports, 16 pages; Part I, new factory construction, pages 17–62; II, industrial opportunities, pages 63–146; III, statistics of manufactures, pages 147–204; IV, operation of free public employment bureaus in Connecticut, pages 205–218; V, directory of labor organizations, pages 219–240; VI, operation of law concerning tenement-houses, pages 241–248; VII, strikes and lockouts, pages 249–303; Appendix, labor laws of Connecticut, pages 1–91.

INDIANA.

Fifth biennial report of the Indiana Labor Commission, 1905–6. L. P. McCormack, Chas. F. Woerner, commissioners. Indianapolis, 1906, 152 pages.

This Commission is similar to boards of mediation and arbitration in other states, and its report relates to its activity in the settlement of labor disputes.

IOWA.

Twelfth report of the bureau of labor statistics for the state of Iowa..for the year 1905. Edward D. Brigham, commissioner. Des Moines, 1907, 272 pages.

Contents: Factory inspection, pages 5–41; graded wages and salaries, pages 42–110; new industries for Iowa, pages 111–140; immigration, pages 141–165; social statistics of individual wage-earners, pages 166–200; railroad employees, pages 201–215; statistics of manufactures, pages 216–260; the canning industry of Iowa, pages 260–9.

MAINE.

Twentieth annual report of the bureau of industrial and labor statistics for the state of Maine, 1906. S. W. Matthews, commissioner. Augusta, 1907, 221 pages.

Contents: Factories and mills built in 1906 (5 pages); labor unions (71 pages); the manufacturing industries of Maine, compiled by the U. S. Census Bureau (18 pages); the pulp and paper industry in Maine (53 pages); Maine forests (17 pages); Maine railroads (10 pages); report of the inspector of factories, workshops, mines and quarries (17 pages).

MASSACHUSETTS.

Report of the chief of the Massachusetts district police for the year ending December 31, 1906, including the inspection and detective departments. Jos. E. Shaw, chief. Boston, 1907, 127 pages.

The number of factories inspected was 14,569 employing 618,754 operatives, of whom 17,747 were children between 14 and 16 years of age.

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FOREIGN COUNTRIES.

AUSTRIA.

Arbeiterverhältnisse im Ostrau-Karwiner Steinkohlenreviere..dargestellt vom K. K. Arbeits-statistischen Amte im Handelsministerium. II Teil; Lebens- und Wohnungsverhältnisse. Vienna, 1906, pages xxxi+109+237, quarto (paper bound).

This is the second part of the Austrian bureau of labor's report on labor conditions in the large coal mining district of Ostrau-Karwin. The first volume, published in 1904, described the working conditions — wages, hours of labor, etc., while the present report is concerned with the home life of the miners — their families, property, dwellings, living expenses, etc.

Strikes and lockouts in 1905 (Die Arbeitseinstellungen und Aussperrungen in Oesterreich während des Jahres 1905; Herausgegeben vom K. K. Arbeits-statistischen Amte im Handelsministerium, Wien, 1906, 419 pages (paper covers).

BELGIUM.

Monographies industrielles: XIV, Fabrication et mise en oeuvre du papier et du carton. Bruxelles, 1906, 200 pages, illustrated (paper covers).

The Belgium bureau of labor has begun the publication of a series of monographs describing the manufacturing industries of the country in their economic, technical and commercial aspects. The above-mentioned volume, which is the third issued, treats of the manufacture of paper and paper goods and is illustrated with photographic reproductions of important factories, machine drawings, etc. The economic significance of the industry is described in an introductory chapter, which includes statistics of wages, hours of labor, etc., of the workmen employed.

Rapports annuels de l'inspection du travail; 11me année, 1905. Office du travail, Ministère de l'industrie et du travail, Bruxelles, 1906, 343 pages.

A collection of reports from the factory inspectors of the nine districts, together with a general report on medical inspection in factories.

CANADA.

Report of the Department of Labour for the year ended June 30, 1906. W. L. Mackenzie King, Deputy Minister of Labour. Ottawa, 1907, 127 pages (paper bound).

As the main body of information published by the Department is printed in the monthly *Labour Gazette* and special reports, the regular annual report is mainly devoted to an account of the Department's operations, discussed under the following heads: The *Labour Gazette;* conciliation and arbitration; the carrying out of the Fair Wages Resolution of the House of Commons of March, 1900; the administration of the Railway Labor Disputes Act; the protection of labor to be employed in the construction of the Grand Trunk Pacific Railway; action of the Department of Labour in reference to false representation to induce or deter immigration; the administration of the Alien Labor Laws; strikes and lockouts in Canada during the fiscal year 1905–06; industrial accidents in Canada during the fiscal year 1905–06; the library of the Department; the circulation of the *Labour Gazette;* the distribution of the *Labour Gazette* and other publications of the Department; inquiries, correspondence and other work of the Department; revenue and expenditure.

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FRANCE.

The statistical year-book of France (*Annŭaire Statistique*, 1905) contains the following figures in relation to factory inspection in the past decade:

YEARS.	Inspectors.	Establishments subject to inspection.	Employees.	Violations discovered.	Prosecutions.	Amount of fines.
1894	107	267,906	2,454,943	$6,018	704	$4,673
1895	106	286,763	2,522,135	10,635	1,332	8,290
1896	105	296,797	2,673,314	13,837	1,612	10,700
1897	106	290,305	2,591,288	9,156	1,264	7,900
1898	105	299,468	2,633,570	6,033	1,352	5,725
1899	105	309,675	2,715,569	11,607	1,837	9,100
1900	105	309,377	2,802,006	11,370	2,776	16,050
1901	105	327,703	2,865,832	20,829	2,836	17,750
1902	121	322,289	2,855,369	16,374	2,478	15,000
1903	121	528,703	3,550,829	22,648	2,980	18,450
1904	121	508,849	3,662,167	21,066	3,233	16,675

ITALY.

Le Organizzazioni di lavoratori in Italia. Federazioni di Mestiere. 1. La Federazione dei Capellai. Pages 155 (paper). 2. La Federazione Edilizia. Pages 71 (paper). Publicazioni dell' Ufficio del Lavoro Serie B–N 10 and 11, Roma, 1906.

The first two of a series of reports by the Italian bureau of labor, on workmen's organizations. The first deals with the hat and cap makers' unions, and the second with the organizations of the building trades.

Dati statistici sul mercato del lavoro in agricoltura nel 1905. Publicazioni dell' Ufficio del Lavoro, Serie B–N 13. Roma, 1906, 83 pages (paper covers).

A statistical account of the condition of agricultural labor with regard to wages, hours, division of labor and condition of women and children.

Inchiesta sul lavoro notturno dei fornai. Publicazioni dell' Ufficio del Lavoro, Serie B–N 14. Roma, 1906, pages 106 (paper).

An investigation concerning the night work of bakers, with an account of foreign legislation.

Le correnti periodiche di migrazione interna in Italia durante il 1905. Publicazioni dell' Ufficio del Lavoro, Serie B–N 15. Roma, 1907, pages 366 (paper covers).

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APPENDIX.

STATISTICAL TABLES.

I. Record of the Deputy Factory Inspectors, October–December, 1906.

II. Children's employment certificates issued in October, November and December.

III. Licenses issued for manufacturing in tenements.

IV. Accidents reported in factories and quarries, October–December:

(a). Age and sex of persons injured.

(b). Causes and consequences of injuries.

V. Number and percentage of unemployed members of representative trade unions, July–December.

VI. Causes of idleness.

VII. Idleness in New York City at the end of December.

VIII. Growth of organized labor in New York cities, 1897–1906.

IX. Membership and idleness in trade unions in each county, September, 1906.

X. Immigration at the Port of New York, October–December:

(a). Destination.

(b). Race or country of origin.

XI. Occupations of aliens admitted in year ending June, 1906.

XII. Building operations in New York City, October–December.

XIII. Building operations in Buffalo, Rochester, Syracuse and Troy.

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BUREAU OF FACTORY INSPECTION.

Table I.—Record of the Deputy Factory Inspectors.

	Fourth Quarter, 1906.				Fourth Quarter, 1905.
	Oct.	Nov.	Dec.	Total.	
Regular inspections:					
Factories in separate buildings	1,284	1,329	1,177	3,790	8,226
Tenant factories	1,439	1,970	1,759	5,168	
Laundries	159	166	159	484	
Bakeries	979	403	244	1,626	781
Mines or quarries	11	.....	.....	11	.....
Tenant factory buildings	24	11	19	54	.....
Tenement buildings (licensed)	101	125	247	473	**
Total	3,997	4,004	3,605	11,606	9,007
Special inspections (factories, laundries bakeries)	211	120	108	439	*
Investigations:					
Accidents	.....	.....	.....	.....	57
Applications for license	256	336	298	890	1,315
Complaints	92	59	66	217	193
Compliances (No. of establishments)	2,764	2,397	3,099	8,260	1,080
On special orders	65	110	35	210	*
Total	3,177	2,902	3,498	9,577	2,645
Observations—Tenement buildings (unlicensed)	113	127	371	611	.....
Tagging, to stop work:					
Goods in tenements ($100)	30	39	29	98	29
Goods in tenant factories ($95)	48	33	25	106	.....
Articles in bakeries ($114)	2	1	1	4	.....
Unsafe machinery ($81)	.....	.....	.....	.....	.....
Scaffolding ($19)	1	.....	.....	1	*
Total	81	73	55	209	29
Prosecutions begun	44	34	21	99	*
Days or parts of days on court work	37½	57½	44¼	139¼	*
Days consumed by illness or travel	58	29	78½	165½	*
Days absent by leave or vacation	43½	125	25	193½	*

*No record. **Licensed and unlicensed apartments inspected—79.

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BUREAU OF FACTORY INSPECTION.

Table II.—Number of Children's Employment Certificates Issued by Boards of Health in First and Second Class Cities.

CITY.	FOURTH QUARTER, 1906. Oct.	Nov.	Dec.	Total.	FOURTH QUARTER, 1905.
New York City:					
Bronx Borough	194	132	85	411	190
Brooklyn Borough	161	80	52	293	245
Manhattan Borough	1,258	844	578	2,680	2,417
Queens Borough	64	46	20	130	118
Richmond Borough	15	13	8	36	34
Total—New York City	1,692	1,115	743	*3,550	*3,004
Buffalo	108	76	50	234	145
Rochester	64	57	42	163	149
Syracuse	65	59	54	178	138
Albany	21	19	9	49	32
Troy	37	28	12	77	31
Utica	34	13	43	90	70
Yonkers	5	18	4	27	21
Schenectady	32	15	15	62	4

*Includes "mercantile" as well as "manufacturing" certificates.

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BUREAU OF FACTORY INSPECTION

Table III.—Licenses for Tenement Manufactures.

		Fourth Quarter, 1906.			Total Oct. 1, 1904, to Dec. 31, 1906.
		New York City.	Remainder of State.	Total.	
Applications pending September 30, 1906		79	.....	79	.....
Applications received		380	3	383	8,199
Total		459	3	462	8,199
(1) Applications for dwellings without clear record from local health or tenement-house authorities and therefore	refused	73	.....	73	1,738
(2) Applications for dwellings with clear record from health and tenement-house authorities, investigated by factory inspector and	granted	230	.....	230	3,779
	refused	32	.....	32	1,370
	standing*	16	.....	16	195
(3) Applications for shop buildings investigated by factory inspector and	granted	4	3	7	634
	refused	2	.....	2	167
	standing*	.....	.....	.....	2
Applications refused† in class 1 with subsequent report of compliance with orders of health of tenement-house authorities, investigated by factory inspector and	granted	124	.....	124	766
	refused	32	.....	32	354
Applications refused† in classes 2 or 3, subsequently re-investigated and	granted	143	.....	143	1,144
	refused	122	.....	122	732
Total applications granted		501	3	504	6,323
Total applications refused (net‡)		160	.....	160	1,365
Total applications standing*		16	.....	16	197
Applications cancelled by applicants		9	.....	9	196
Applications duplicated		1	.....	1	26
Applications pending Dec. 31, 1906		92	.....	92	92
Licenses cancelled at request of applicants		12	.....	12	115
Licenses revoked for unlawful conditions		.....	.....	.....	4
Net increase in outstanding licenses		489	3	492	.....
Licenses outstanding September 30, 1906		5,261	451	5,712	.....
Licenses outstanding December 31, 1906		5,750	454	6,204	6,204

*These are cases in which investigation showed no work being done or likely to be done on the premises and in which no further application for the license was received after investigation.

†In present or previous quarters.

‡The number of buildings held to be below the requirements for licensing was 1,525 at the beginning of the quarter. Of this number, 160 upon re-application and after re-inspection obtained licenses, leaving 1,365 as the net number of rejected applications.

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TABLE IV.—ACCIDENTS IN FACTORIES AND QUARRIES, OCTOBER—DECEMBER:
(a) Age and Sex of Persons Injured.

CAUSE. [n. e. s.=Not elsewhere specified.]	Under 16 years.	16-18 years.	18 years +	Age not stated.	TOTAL.	Male.	Fem.
MECHANICAL POWER.							
Transmission of power:							
Motors (engines, dynamos, flywheels)	....	3	41	....	44	44	.....
Air fans, steam pumps, etc	....	....	9	....	9	9	....
Gearing	2	10	98	1	111	101	10
Set screws	....	1	12	....	13	12	1
Shafting	....	....	22	1	23	22	1
Belts and pulleys	4	11	86	....	101	96	5
Conveying and hoisting machinery and apparatus:							
Elevators and lifts	8	8	81	2	99	95	4
Cranes (steam, electric, portable, etc.)	....	1	34	....	35	35	.....
Hoisting and conveying apparatus, n. e. s.	....	7	233	....	240	238	2
Locomotives and trains	....	1	59	....	60	60	.....
Wood working machines:							
Saws	3	11	167	1	182	182	.....
Planers	....	3	34	....	37	37	.....
Jointers	....	....	32	1	33	33	.....
Shapers	....	1	17	....	18	18	.....
Lathes	....	....	2	....	2	2	.....
Heading machines	....	....	1	....	1	1	.....
Other wood working machines	1	5	25	....	31	30	1
Paper and printing machinery:							
Barkers	....	2	10	....	12	12	.....
Calendars, etc	....	8	58	....	66	65	1
Paper cutting, stitching and staying	2	20	52	....	74	51	23
Printing presses	2	5	21	....	28	26	2
Textile machinery:							
Picking machines	....	....	8	....	8	6	2
Carding machines	....	....	18	1	19	18	1
Spinning machines	....	3	11	1	15	10	5
Looms	....	....	19	....	19	6	13
Formers, knitting machines	5	4	35	....	44	28	16
Sewing machines, etc	....	4	15	....	19	9	10
Laundry machines	....	3	5	....	8	5	3
Leather working machinery	....	3	22	....	25	24	1
Metal working machinery:							
Stamping machines	5	42	165	2	214	170	44
Drilling and milling machines	1	16	87	....	104	102	2
Screw machines	....	....	7	....	7	7	.....
Lathes	....	3	28	....	31	31	.....
Drop and steam hammers	....	....	34	1	35	35	.....
Shears	....	5	27	....	32	31	1
Rollers	....	1	34	....	35	35	.....
Other	....	8	143	1	152	144	8
Polishing machines:							
Contact with grindstones, etc	2	4	46	....	52	52	.....
Struck by fragments of polishing wheels	....	5	28	1	34	34	.....
Other	....	2	20	1	23	23	.....
Machines used in bakeries, etc	....	3	11	....	14	11	3
Machinery not elsewhere specified	2	10	75	....	87	81	6
Total	37	213	1,932	14	2,196	2,031	165
HEAT AND ELECTRICITY.							
Explosives (powder, dynamite, etc.)	....	....	19	2	21	21	.....
Explosion and ignition of gases	....	....	6	....	6	6	.....
Explosion of boilers and steam-pipes	....	2	17	....	19	18	1
Other injuries from steam and hot liquids	....	....	46	....	46	45	1
Caustics	1	....	16	....	17	17	.....
Explosion of molten metal	....	1	3	1	5	5	.....
Other accidents from molten metal	1	4	108	....	113	112	1
Vats, pans, etc. (containing hot liquids, etc.)	....	....	15	....	15	15	.....
Electricity	....	1	53	....	54	53	1
Fire and heat, n. e. s.	2	....	74	....	76	74	2
Total	4	8	357	3	372	366	6

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TABLE IV—ACCIDENTS IN FACTORIES AND QUARRIES, OCTOBER—DECEMBER—Continued:
(a) Age and Sex of Persons Injured.

CAUSE. [n. e. s.=Not elsewhere specified.]	Under 16 years.	16—18 years.	18 years +	Age not stated.	TOTAL.	Male.	Fem.
FALL OF PERSON.							
Fall from ladder, scaffold, platform, etc.	....	1	57	....	58	58	.....
Fall from machinery, trucks, engines, etc.	....	....	38	....	38	38	.....
Fall caused by collapse of support	....	1	55	....	56	55	1
Fall through opening in floor	....	1	30	....	31	31	.....
Fall in hoistway, shaft, etc	....	3	16	....	19	19	.....
Fall on stairs, steps, etc	....	1	19	....	20	20	.....
Fall on level by slipping	....	5	30	....	35	25	10
Fall on level by tripping	....	1	28	1	30	26	4
All others	1	4	76	1	82	80	2
Total	1	17	349	2	369	352	17
INJURED BY WEIGHTS.							
Falling rock and earth (quarrying, etc.).	....	1	44	....	45	45	.....
Falling pile of material	....	....	67	....	67	67	.....
Falling walls, doors, and other objects	....	4	200	1	205	204	1
Tools or weights dropped by person injured	....	....	65	....	65	65	.....
Falling objects dropped by other persons	....	1	11	....	12	12	.....
Heavy materials or parts on which injured persons were at work	....	2	67	....	69	69	.....
Machinery being moved	....	....	49	....	49	49	.....
Fall of materials from trucks in transit	....	1	29	....	30	30	.....
Handling of castings, flasks, etc	....	7	139	1	147	147	.....
Handling of stone, ore, etc	....	....	45	....	45	45	.....
Handling of lumber and other materials	....	4	63	....	67	67	.....
Loading or unloading	....	1	155	....	156	156	.....
Cause insufficiently described for classification	....	....	20	....	20	20	.....
Total	....	21	954	2	977	976	1
FLYING OBJECTS.							
Struck in eye by piece of metal, etc	....	2	128	....	130	130	.....
Other injuries from flying objects	....	1	55	....	56	55	1
Total	....	3	183	....	186	185	1
VEHICLES AND ACCIDENTS CAUSED BY ANIMALS	1	4	91	....	96	95	1
MISCELLANEOUS.							
Hand tools (hammers, wrenches, files, etc.)	....	6	102	1	109	109	.....
Tools in hands of fellow workmen	....	1	44	....	45	45	.....
Injured while fitting and assembling, n. e. s.	....	1	44	....	45	45	.....
Hand caught on nail, sharp wire, sharp projection, etc	....	3	67	....	70	70	.....
Hand cut on glass	....	1	9	....	10	10	.....
Injured by stepping on nail, sliver, etc.	1	5	69	....	75	66	9
All other causes	1	3	59	3	66	66	.....
Total	2	20	394	4	420	411	9
GRAND TOTAL	45	286	4,260	25	4,616	4,416	200

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TABLE IV—*Continued*: (b) Causes and Results of Accidents

CAUSE. [.n e. s.=Not elsewhere specified.]	Grand total.	TEMPORARY				
		Lacerations.	Burns.	Cuts.	Bruises.	Sprains
MECHANICAL POWER.						
Transmission of power:						
Motors (engines, dynamos, fly wheels, etc.)	44	12	1	6	4	.....
Air fans, steam pumps, etc.	9	.....	.....	3	1	.....
Gearing	111	34	.....	10	6	.....
Set screws	13	3	.....	2	2	.....
Shafting	23	3	.....	1	1	1
Belts and pulleys	101	15	1	21	9	3
Conveying and hoisting machinery:						
Elevators and lifts	99	11	.....	3	24	1
Cranes (steam, electric, portable, etc.)	35	2	.....	3	16	3
Hoisting and conveying apparatus, n. e. s.	240	37	2	12	49	10
Locomotives and trains	60	4	.....	1	11	.....
Wood working machines:						
Saws	182	41	.....	29	4	.....
Planers	37	8	.....	5	2	.....
Jointers	33	2	.....	5	.....	.....
Shapers	18	5	.....	4	.....	.....
Lathes	2	.....	.....	.....	.....	.....
Heading machines	1	.....	.....	.....	.....	.....
Other wood working machines	31	8	.....	11	.....	.....
Paper and printing machinery:						
Barkers	12	.....	.....	1	.....	.....
Calendars and other paper making machines	66	17	1	7	15	2
Paper cutting, stitching and staying machines	74	18	.....	9	6	3
Printing presses	28	7	.....	1	2	.....
Textile machinery:						
Picking machines	8	3	.....	.....	.....	.....
Carding machines	19	6	.....	6	.....	.....
Spinning machines	15	2	.....	2	1	1
Looms	19	2	.....	7	6	1
Formers, knitting machines and other textile machinery	44	11	1	6	3	.....
Sewing machines, etc.	19	1	.....	6	1	.....
Laundry machines	8	.....	1	1	2	1
Leather working machinery	25	3	.....	6	2	.....
Metal working machinery:						
Stamping machines	214	32	.....	20	11	.....
Drilling and milling machines	104	26	.....	19	8	3
Screw machines	7	.....	.....	4	.....	.....
Lathes	31	10	.....	6	1	.....
Drop and steam hammers	35	3	.....	6	5	.....
Shears	32	5	.....	5	3	.....
Rollers	35	8	2	1	6	1
Others	152	31	.....	18	23	1
Polishing machines:						
Contact with grindstones, emery wheels, etc.	52	16	1	10	2	.....
Struck by fragments of polishing wheels	34	4	.....	4	3	.....
Other	23	8	.....	6	2	.....
Machines used in bakeries, confectionery establishments, etc.	14	4	.....	1	.....	.....
Machines not elsewhere specified	87	18	1	22	6	1
Total	2,196	420	11	290	237	32
HEAT AND ELECTRICITY.						
Explosives (powder, dynamite, etc.)	21	.....	.....	.....	2	.....
Explosion and ignition of gases	6	.....	6	.....	.....	.....
Explosion of boilers and steam pipes	19	.....	10	2	.....	1
Other injuries from steam and hot liquids	46	.....	41	.....	.....	.....
Caustics	17	.....	13	.....	.....	.....
Explosion of molten metals	5	.....	4	.....	.....	.....
Other accidents from molten metal	113	.....	89	.....	.....	.....
Vats, pans, etc. (containing hot liquids or caustics)	15	.....	12	.....	.....	.....
Electricity	54	.....	30	.....	.....	.....
Fire and heat, n. e. s.	76	.....	62	.....	.....	.....
Total	372	.....	267	2	2	1

*One not an employee.

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in Factories and Quarries October 1—December 31, 1906.

DISABLEMENT.					PERMANENT DISABLEMENT.							
					LOSS OF ONE OR BOTH—							
Fractures.	Plural injuries.	Other.	Total.	Serious injuries, probably permanent.	Limbs.	Hands or feet.	Fingers.	Eyes.	Internal injury.	All others.	Total.	Death.
3	3	1	30	4	.....	.....	7	.....	1	1	9	1
.....	.....	.....	4	1	.....	.....	4	.....	.....	.....	4	.....
.....	6	1	57	13	1	2	35	.....	.....	2	40	*1
.....	5	.....	12	1	.....	.....	.....	.....	.....	.....	.....	.....
.....	10	.....	16	4	.....	.....	.....	.....	.....	1	1	2
9	19	1	78	8	.....	1	4	.....	1	6	12	3
4	21	1	65	14	.....	1	1	.....	1	1	4	16
2	.....	.....	26	6	.....	.....	.....	.....	.....	2	2	1
9	33	3	155	44	.....	1	17	.....	5	12	35	6
7	7	1	31	16	1	.....	2	.....	1	1	5	8
1	9	3	87	26	.....	.....	61	.....	2	6	69	.....
1	2	1	19	4	1	.....	13	.....	.....	.....	14	.....
.....	.....	.....	7	3	.....	1	22	.....	.....	.....	23	.....
.....	1	.....	10	1	.....	.....	7	.....	.....	.....	7	.....
.....	.....	.....	.....	2	.....	.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....
.....	2	.....	21	2	.....	.....	8	.....	.....	.....	8	.....
.....	.....	.....	1	3	.....	.....	8	.....	.....	.....	8	.....
1	5	.....	48	9	.....	1	6	.....	.....	1	8	1
1	.....	4	41	17	.....	.....	11	.....	.....	3	14	2
1	3	.....	14	8	.....	.....	4	.....	.....	2	6	.....
.....	.....	.....	3	2	1	.....	2	.....	.....	.....	3	.....
.....	.....	.....	12	1	.....	.....	4	.....	.....	1	5	1
.....	5	.....	11	2	.....	.....	2	.....	.....	.....	2	.....
1	1	.....	18	.....	.....	.....	.....	.....	.....	1	1	.....
5	1	4	31	6	.....	1	6	.....	.....	.....	7	.....
.....	.....	9	17	.....	.....	.....	1	.....	.....	1	2	.....
.....	.....	.....	5	1	1	.....	.....	.....	.....	1	2	.....
1	1	2	15	2	.....	.....	8	.....	.....	.....	8	.....
.....	3	2	68	42	.....	.....	103	.....	.....	1	104	.....
1	2	6	65	24	.....	.....	12	.....	1	2	15	.....
.....	1	.....	5	1	.....	.....	1	.....	.....	.....	1	.....
1	.....	2	20	3	.....	.....	7	.....	.....	.....	7	1
2	2	.....	18	9	.....	.....	8	.....	.....	.....	8	.....
.....	.....	.....	13	7	.....	.....	12	.....	.....	.....	12	.....
2	3	1	24	5	2	.....	2	.....	.....	2	6	.....
2	8	8	91	28	1	1	28	1	.....	2	33	.....
.....	4	4	37	5	.....	.....	9	.....	.....	1	10	.....
.....	2	14	27	3	.....	.....	2	.....	.....	2	4	.....
.....	.....	2	18	1	.....	.....	3	.....	1	.....	4	.....
.....	.....	.....	5	2	.....	.....	4	.....	.....	1	5	2
1	10	2	61	10	.....	.....	10	.....	1	4	15	1
55	169	72	1,286	341	8	9	434	1	14	57	523	46
.....	5	.....	7	4	1	.....	.....	4	.....	1	6	4
.....	.....	.....	6	.....	.....	.....	.....	.....	.....	.....	.....	.....
.....	1	1	15	1	.....	.....	.....	.....	.....	1	1	2
.....	1	.....	42	2	1	.....	.....	.....	.....	.....	1	1
.....	.....	1	14	3	.....	.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	4	1	.....	.....	.....	.....	.....	.....	.....	.....
.....	5	.....	94	19	.....	.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	12	2	.....	.....	.....	.....	.....	.....	.....	1
.....	4	10	44	1	.....	.....	1	.....	.....	1	2	7
.....	6	.....	68	7	.....	.....	.....	.....	.....	.....	.....	1
.....	22	12	306	40	2	.....	1	4	.....	3	10	16

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TABLE IV.—(b) Causes and Results of Accidents in Factories

CAUSE. [n. e. s.=Not elsewhere specified.]	Grand total.	Temporary				
		Lacerations.	Burns.	Cuts.	Bruises.	Sprains.
FALL OF PERSON.						
Fall from ladder, scaffold, platform, etc.	58	3	.....	4	10	7
Fall from machinery, trucks, engines, etc.	38	1	.....	3	5	6
Fall caused by collapse of support	56	4	.....	2	10	8
Fall through opening in floor	31	2	.....	.....	6	2
Fall in hoistway, shaft, etc.	19	1	.....	.....	2	.....
Fall on stairs, steps, etc.	20	.....	.....	.....	4	6
Fall on level by slipping	35	2	.....	7	6	7
Fall on level by tripping	30	4	1	5	3	5
All others	82	9	.....	14	12	8
Total	369	26	1	35	58	49
INJURED BY WEIGHTS.						
Falling rock and earth (quarrying, excavating, etc.)	45	7	.....	6	16	.....
Falling of pile of material (lumber, coal, cement, etc.)	67	10	.....	4	22	1
Falling walls, doors and other objects	†205	41	.....	31	75	1
Tools or weights dropped by person injured	65	21	1	4	30	1
Falling objects dropped by other persons	12	6	.....	1	1	.....
Heavy materials or parts on which injured persons were at work	69	16	.....	6	27	.....
Machinery being moved	49	10	.....	5	17	1
Fall of material from trucks in transit	30	3	.....	2	17	1
Handling of castings, flasks, etc.	147	42	.....	8	39	11
Handling of stone, ore, etc.	45	6	.....	4	14	5
Handling of lumber, paper and other materials	†67	12	.....	6	26	5
Loading or unloading	†156	40	.....	9	54	10
Cause insufficiently described for classification	20	4	.....	2	4	1
Total	977	218	1	88	342	37
FLYING OBJECTS.						
Struck in eye by piece of metal, glass, etc.	130	2	6	14	5	.....
Other injuries from flying objects	56	17	1	22	8	.....
Total	186	19	7	36	13	.....
VEHICLES AND ACCIDENTS CAUSED BY ANIMALS	96	23	.....	3	39	2
MISCELLANEOUS.						
Hand tools (hammers, knives, wrenches, files, etc.)	109	24	1	38	30	.....
Tools in hands of fellow workmen	45	11	.....	9	10	.....
Injured while fitting and assembling, n. e. s.	45	7	.....	16	8	2
Hand caught on nail, wire, sharp projection, etc.	70	18	.....	27	1	.....
Hand cut on glass	10	2	.....	7	.....	.....
Injured by stepping on nail, sliver, etc.	75	20	.....	11	2	2
All other causes	66	6	.....	7	9	9
Total	420	88	1	115	60	13
GRAND TOTAL	4,616	794	288	569	751	134

†Includes one, nature of injury not reported.

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and Quarries October 1—December 31, 1906.—*Concluded.*

DISABLEMENT.				Serious injuries, probably permanent.	PERMANENT DISABLEMENT.							Death.
					LOSS OF ONE OR BOTH—							
Fractures.	Plural injuries.	Other.	Total.		Limbs.	Hands or feet.	Fingers.	Eyes.	Internal injury.	All others.	Total.	
7	17	1	49	3	.....	.....	.....	.....	3	.....	3	3
5	11	2	33	3	.....	.....	.....	.....	1	1	2	.....
5	17	3	49	2	.....	.....	.....	.....	2	2	4	1
6	11	.....	27	2	.....	.....	.....	.....	.....	2	2	.....
1	7	.....	11	2	.....	.....	.....	.....	1	1	2	4
4	5	.....	19	.....	.....	.....	.....	.....	.....	1	1	.....
8	2	2	34	1	.....	.....	.....	.....	.....	.....	.....	.....
4	2	2	26	.....	.....	.....	1	.....	1	2	4	.....
6	21	3	73	2	.....	.....	.....	1	5	.....	6	1
46	93	13	321	15	.....	.....	1	1	13	9	24	9
4	4	1	38	1	.....	.....	.....	.....	2	1	3	3
4	12	2	55	6	.....	.....	4	.....	.....	1	5	1
9	22	2	181	14	.....	.....	2	.....	2	5	9	.....
3	2	1	63	1	.....	.....	.....	.....	.....	1	1	.....
1	2	.....	11	.....	.....	.....	.....	.....	.....	.....	.....	1
3	5	4	61	3	.....	.....	4	.....	.....	1	5	.....
2	7	1	43	2	.....	.....	2	.....	2	.....	4	.....
.....	3	1	27	.....	.....	.....	3	.....	.....	.....	3	.....
10	9	3	122	9	1	.....	9	.....	3	3	16	.....
7	1	1	38	2	.....	.....	1	.....	.....	2	3	2
4	4	4	61	2	.....	.....	2	.....	1	.....	3	.....
12	10	5	140	7	.....	.....	6	.....	1	1	8	.....
1	3	.....	15	1	.....	.....	3	.....	.....	.....	3	1
60	84	25	855	48	1	.....	36	.....	11	15	63	8
.....	2	65	94	28	.....	.....	.....	7	.....	1	8	.....
.....	2	4	54	.....	.....	.....	1	.....	.....	1	2	.....
.....	4	69	148	28	.....	.....	1	7	.....	2	10	.....
4	15	2	88	4	.....	.....	1	.....	1	.....	2	2
.....	5	2	100	3	.....	.....	5	.....	.....	1	6	.....
3	4	1	38	1	.....	.....	3	.....	2	1	6	.....
1	2	3	39	6	.....	.....	.....	.....	.....	.....	.....	.....
.....	5	16	67	1	.....	.....	1	.....	.....	1	2	.....
.....	.....	.....	9	1	.....	.....	.....	.....	.....	.....	.....	.....
.....	2	38	75	.....	.....	.....	.....	.....	.....	.....	.....	.....
2	6	17	56	.....	.....	.....	.....	.....	2	3	5	5
6	24	77	384	12	.....	.....	9	.....	4	6	19	5
171	411	270	3,388	488	11	9	483	13	43	92	651	86

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TABLE V.—NUMBER OF UNEMPLOYED MEMBERS OF

INDUSTRIES OR GROUPS OF TRADES.	Unions.	MEMBERS REPORTING.				
		July.	Aug.	Sept.	Oct.	Nov.
1. Building, Stone Working, Etc.	**54**	**30,567**	**30,471**	**29,817**	**28,435**	**29,332**
Stone working	2	2,153	2,160	1,169	1,166	1,171
Building and paving trades	47	25,579	25,476	25,911	24,737	25,640
Building and street labor	5	2,835	2,835	2,737	2,538	2,521
2. Transportation	**38**	**17,228**	**17,305**	**17,391**	**17,299**	**17,243**
Railways	26	6,278	6,355	6,396	6,306	6,238
Navigation	2	4,380	4,350	4,350	4,350	4,350
Teaming and cab driving	5	3,506	3,504	3,584	3,512	3,524
Freight handling	4	1,364	1,371	1,261	1,311	1,291
Telegraphs	1	1,700	1,725	1,800	1,820	1,840
3. Clothing and Textiles	**18**	**8,119**	**7,957**	**8,343**	**8,144**	**8,145**
Garments	11	5,496	5,300	5,456	5,330	5,378
Hats, caps and furs	3	908	942	995	997	903
Boots, shoes and gloves	2	1,300	1,300	1,475	1,400	1,450
Textiles	2	415	415	417	417	414
4. Metals, Machinery and Shipbuilding	**26**	**8,678**	**8,923**	**8,760**	**8,839**	**8,871**
Iron and steel	22	7,579	7,780	7,605	7,684	7,715
Metals other than iron and steel	3	497	504	511	527	528
Shipbuilding	1	602	639	644	628	628
5. Printing, Binding, Etc.	**2**	**6,817**	**6,832**	**6,883**	**6,931**	**6,918**
6. Wood Working and Furniture	**10**	**3,193**	**3,213**	**3,358**	**3,132**	**3,166**
7. Food and Liquors	**12**	**4,005**	**4,004**	**4,309**	**4,311**	**4,302**
Food products	7	1,510	1,505	1,791	1,837	1,817
Beverages	5	2,495	2,499	2,518	2,474	2,485
8. Theaters and Music	**3**	**1,487**	**1,510**	**1,512**	**1,347**	**1,450**
9. Tobacco	**6**	**3,423**	**3,428**	**3,423**	**3,409**	**3,407**
10. Restaurants and Retail Trade	**8**	**2,795**	**2,823**	**2,659**	**2,701**	**2,743**
Hotels and restaurants	6	2,601	2,629	2,464	2,517	2,559
Retail trade	2	194	194	195	184	184
11. Public Employment	**2**	**2,239**	**2,233**	**2,217**	**2,209**	**2,216**
12. Steam Engine Men	**5**	**3,548**	**3,063**	**3,106**	**2,878**	**2,852**
13. Miscellaneous	**11**	**2,472**	**2,458**	**2,502**	**2,427**	**2,404**
Paper and paper goods	3	617	593	614	609	609
Barbering	3	750	749	749	774	769
Leather and leather goods	2	255	240	230	208	193
Glass and glassware	2	507	525	571	525	525
Other trades	1	343	351	338	311	308
Total	**195**	**94,571**	**94,220**	**94,280**	**92,062**	**93,049**

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REPRESENTATIVE TRADE UNIONS, JULY—DECEMBER, 1906.

	Number Idle.						Percentage Idle.					
Dec.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	July.	Aug.	Sept.	Oct.	Nov.	Dec.
29,382	3,301	2,114	1,908	2,086	3,004	5,656	10.8	6.9	6.4	7.3	10.2	19.2
1,171	468	465	341	202	344	346	21.7	21.5	29.2	17.4	29.4	29.5
25,678	2,483	1,609	1,554	1,713	2,474	4,474	9.5	6.3	6.0	6.9	9.6	17.4
2,533	400	40	13	171	186	836	14.1	1.4	0.5	6.7	7.4	33.0
17,366	747	563	795	752	783	5,048	4.3	3.3	4.6	4.3	4.5	29.1
6,295	205	196	197	190	220	194	3.3	3.1	3.1	3.0	3.5	3.1
4,350	110	100	81	60	50	4,250	2.5	2.3	1.9	1.4	1.1	97.7
3,558	415	226	477	478	500	592	11.8	6.4	13.3	13.6	14.2	16.6
1,303	17	41	40	24	13	12	1.2	3.0	3.2	1.8	1.0	0.9
1,860	.....	.....	.....	.....	.....	.....	0.0	0.0	0.0	0.0	0.0	0.0
8,213	420	282	671	766	681	942	5.2	3.5	8.0	9.4	8.4	11.5
5,429	413	249	364	306	542	900	7.5	4.7	6.7	5.7	10.1	16.6
920	.....	25	137	1	131	28	0.0	2.7	13.8	0.1	14.5	3.0
1,450	7	8	170	450	.....	.....	0.5	0.6	11.5	32.1	0.0	0.0
414	.....	.....	.....	9	8	14	0.0	0.0	0.0	2.2	1.9	3.4
8,910	304	357	246	705	663	553	3.5	4.0	2.8	8.8	7.5	6.2
7,743	282	318	226	272	227	412	3.7	4.1	3.0	3.5	2.9	5.3
539	.....	.....	.....	5	8	13	0.0	0.0	0.0	0.9	1.5	2.4
628	22	39	20	428	428	128	3.7	6.1	3.1	68.2	68.2	20.4
6,858	1,076	1,073	1,065	1,097	995	906	15.8	15.7	15.5	15.8	14.4	13.2
3,197	430	349	302	235	217	411	13.5	10.9	9.0	7.5	6.9	12.9
4,291	225	220	312	261	235	255	5.6	5.5	7.2	6.1	5.5	5.9
1,818	211	191	246	191	176	172	14.0	12.7	13.7	10.4	9.7	9.5
2,473	14	29	66	70	59	83	0.6	1.2	2.6	2.8	2.4	3.4
1,457	369	162	64	98	98	99	24.8	10.7	4.2	7.3	6.8	6.8
3,422	176	106	247	92	81	213	5.1	3.1	7.2	2.7	2.4	6.2
2,741	72	48	189	133	122	108	2.6	1.7	7.1	4.9	4.4	3.9
2,556	49	30	186	131	120	103	1.9	1.1	7.5	5.2	4.7	4.0
185	23	18	3	2	2	5	11.9	9.3	1.5	1.1	1.1	2.7
2,225	43	49	33	26	26	42	1.9	2.2	1.5	1.2	1.2	1.9
2,864	27	64	74	55	54	48	0.8	2.1	2.4	1.9	1.9	1.7
2,392	39	75	53	77	93	71	1.6	3.1	2.1	3.2	3.9	3.0
604	.....	.....	.....	2	2	.....	0.0	0.0	0.0	0.3	0.3	0.0
776	11	9	5	28	46	18	1.5	1.2	0.7	3.6	6.0	2.3
190	15	10	10	8	9	15	5.9	4.2	4.3	3.8	4.7	7.9
525	2	43	26	22	22	22	0.4	8.2	4.6	4.2	4.2	4.2
297	11	13	12	17	14	16	3.2	3.7	3.6	5.5	4.5	5.4
93,318	7,229	5,462	5,959	6,388	7,052	14,352	7.6	5.8	6.3	6.9	7.6	15.4

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TABLE VI.—CAUSES OF IDLENESS AMONG

INDUSTRIES OR GROUPS OF TRADES.	LABOR DISPUTES.					
	July.	Aug.	Sept.	Oct.	Nov.	Dec.
1. Building, Stone Working, Etc	973	100	46	100	50	36
Stone working						
Building and paving trades	873	70	46	100	50	36
Building and street labor	100	30				
2. Transportation	15		75			
Railways	15					
Navigation						
Teaming and cab driving			75			
Freight handling						
Telegraphs						
3. Clothing and Textiles	179	25	25	100	100	122
Garments	179	25	25	100	100	122
Hats, caps and furs						
Boots, shoes and gloves						
Textiles						
4. Metals, Machinery and Shipbuilding	53	20	46	450	430	135
Iron and steel	53	20	46	22	2	7
Metals other than iron and steel						
Shipbuilding				428	428	128
5. Printing, Binding, Etc	601	573	527	476	392	360
6. Wood Working and Furniture	5	3				
7. Food and Liquors						
Food products						
Beverages						
8. Theaters and Music			10			
9. Tobacco	2		5			
10. Restaurants and Retail Trade						
Hotels and restaurants						
Retail trade						
11. Public Employment						
12. Steam Engine Men						
13. Miscellaneous		6	6	6	6	6
Paper and paper goods						
Barbering						
Leather and leather goods						
Glass and glassware		6	6	6	6	6
Other trades						
Total	1,828	727	740	1,132	978	659

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[illegible]	[illegible]	12	9	[illegible]	64	211	211	291	243	213	221
4	3	9	9	4	3	201	185	234	182	172	169
				18	31	10	26	57	61	41	52
12	12	2	8	8	9	357	150	52	90	90	90
57	51	61	57	55	77	117	55	181	35	26	136
14	11	26	13	32	24	58	37	163	120	90	84
11	5	23	11	30	21	38	25	163	120	90	82
3	6	3	2	2	3	20	12	.....	.....	.....	2
43	49	33	26	26	42	.....	.....	.....	.....	.....	.....
5	5	5	4	3	3	22	59	69	51	51	45
14	20	14	25	24	26	25	49	33	46	63	39
.....	.....	.....	.....	.....	.....	.....	.....	.....	2	2	.....
1	4	2	5	6	6	10	5	3	23	40	12
.....	.....	.....	2	3	3	15	10	10	6	6	12
2	3	.....	1	1	1	.....	34	20	15	15	15
11	13	12	17	14	16	.....	.....	.....	.....	.....	.....
953	939	1,198	1,085	1,162	1,312	4,448	3,796	4,021	4,166	4,912	12,381

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TABLE VII.—IDLENESS IN NEW YORK CITY AT THE END OF DECEMBER.

INDUSTRIES OR GROUPS OF TRADES.	Unions.	Members.	Number idle.	Per cent idle.	IDLE ON ACCOUNT OF		
					Labor disputes.	Disability.	Other reasons.
1. Building, Stone Working, Etc	**30**	**22,634**	**4,439**	**19.6**	**36**	**209**	**4,194**
Stone working	1	1,000	200	20.0	.....	.....	200
Building and paving trades	26	19,255	3,472	18.0	36	199	3,237
Building and street labor	3	2,379	767	32.2	.....	10	757
2. Transportation	**8**	**6,571**	**612**	**9.3**	.....	**32**	**580**
Railways	2	633	12	1.9	.....	7	5
Teaming and cab driving	3	3,150	590	18.7	.....	25	565
Freight handling	2	928	10	1.1	.....	.....	10
Telegraphs	1	1,860	.....	0.0	.....	.....	.....
3. Clothing and Textiles	**10**	**5,722**	**873**	**15.3**	**122**	**96**	**655**
Garments	7	4,472	847	18.9	122	70	655
Hats, caps and furs	2	750	26	3.5	.....	26	.....
Boots, shoes and gloves	1	500	.....	0.0	.....	.....	.....
4. Metals, Machinery and Shipbuilding	**14**	**5,682**	**279**	**4.9**	**130**	**53**	**96**
Iron and steel	10	4,515	138	3.1	2	53	83
Metals other than iron and steel	3	539	13	2.4	.....	.....	13
Shipbuilding	1	628	128	20.4	128	.....	.....
5. Printing, Binding, Etc	**1**	**6,728**	**906**	**13.5**	**360**	**318**	**228**
6. Wood Working and Furniture	**7**	**2,943**	**399**	**13.6**	.....	**28**	**371**
7. Food and Liquors	**7**	**3,382**	**214**	**6.3**	.....	**23**	**191**
Food products	5	1,532	149	9.7	.....	3	146
Beverages	2	1,850	65	3.5	.....	20	45
8. Theaters and Music	**1**	**845**	.....	**0.0**	.....	.....	.....
9. Tobacco	**2**	**1,924**	**51**	**2.7**	.....	**25**	**26**
10. Restaurants and Retail Trade	**4**	**1,776**	**61**	**3.4**	.....	**14**	**47**
Hotels and restaurants	3	1,646	61	3.7	.....	14	47
Retail trade	1	130	.....	0.0	.....	.....	.....
11. Public Employment	**1**	**1,980**	**38**	**1.9**	.....	**38**	.....
12. Steam Engine Men	**2**	**1,331**	**29**	**2.2**	.....	**1**	**28**
13. Miscellaneous	**3**	**695**	**37**	**5.3**	**6**	**4**	**27**
Leather and leather goods	1	170	15	8.8	.....	3	12
Glass and glassware	2	525	22	4.2	6	1	15
Total	90	62,213	7,938	12.8	654	841	6,443

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TABLE VIII.—GROWTH OF LABOR ORGANIZATIONS IN THE SEVERAL CITIES OF NEW YORK, 1897—1906.

CITY.	At End of September, 1906.				Dec. 1897.		Gain, 1897 to 1906.
	No. of unions.	Number of members.			Unions.	Members.	
		Men.	Women.	Total.			
Albany	81	7,649	96	7,745	43	3,621	4,124
Amsterdam	20	1,027	17	1,044	3	66	978
Auburn	32	1,480	31	1,511	17	707	804
Binghamton	37	2,080	178	2,258	11	735	1,523
Buffalo	174	28,754	836	29,590	83	8,708	20,882
Cohoes	11	670	.....	670	6	407	263
Corning	16	1,072	2	1,074	5	322	752
Cortland	13	288	21	309	4	61	248
Dunkirk	17	686	6	692	2	31	661
Elmira	38	2,496	92	2,588	20	1,047	1,541
Fulton	5	70	.....	70	.....	.....	70
Geneva	25	996	5	1,001	6	278	723
Gloversville	13	386	8	394	2	275	119
Hornell	22	1,275	19	1,294	6	616	678
Hudson	9	200	.....	200	2	53	147
Ithaca	15	647	36	683	13	367	316
Jamestown	20	695	17	712	4	95	617
Johnstown	4	74	.....	74	.....	.....	74
Kingston	25	989	5	994	7	227	767
Little Falls	13	465	.....	465	3	47	418
Lockport	23	771	.....	771	12	326	445
Middletown	22	1,146	5	1,151	4	277	874
Mount Vernon	13	861	.....	861	4	231	630
Newburgh	33	1,940	866	2,806	13	1,522	1,284
New Rochelle	13	1,150	2	1,152	5	173	979
New York City	678	253,065	6,943	260,008	432*	133,488	126,520
Niagara Falls	35	1,669	108	1,777	6	200	1,577
North Tonawanda	6	426	.....	426	.....	.....	426
Ogdensburg	25	1,387	.....	1,387	2	42	1,345
Olean	26	1,001	11	1,012	6	148	864
Oneida	13	446	3	449	4	151	298
Oswego	24	1,056	.....	1,056	8	261	795
Plattsburg	10	360	.....	360	3	50	310
Poughkeepsie	24	1,075	1	1,076	11	542	534
Rensselaer	4	454	.....	454	4	208	246
Rochester	87	13,972	322	14,294	41	4,217	10,077
Rome	14	405	1	406	6	98	308
Schenectady	58	7,840	10	7,850	18	670	7,180
Syracuse	80	7,522	823	8,345	51	4,513	3,832
Tonawanda	9	207	50	257	1	15	242
Troy	52	5,074	48	5,122	26	2,130	2,992
Utica	49	3,978	226	4,204	23	1,903	2,301
Watertown	21	1,162	11	1,173	13	413	760
Watervliet	4	117	.....	117	2	77	40
Yonkers	24	2,208	3	2,211	15	897	1,314
Total	1,937	361,291	10,802	372,093	947	170,215	201,878

* Includes all unions within the present area of Greater New York, i. e. unions in Brooklyn, College Point, Corona, Flushing, Long Island City, New York, Port Richmond, Stapleton, Tompkinsville, West Brighton and Whitestone.

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TABLE IX.—STATISTICS OF TRADE UNIONS IN EACH COUNTY

COUNTY.	Number of unions.	NUMBER OF MEMBERS.		
		Men.	Women.	Total.
Albany	102	8,758	96	8,854
Allegany	3	61	.....	61
Broome	40	2,137	180	2,317
Cattaraugus	44	1,957	41	1,998
Cayuga	32	1,480	31	1,511
Chautauqua	39	1,403	23	1,426
Chemung	38	2,496	92	2,588
Chenango	17	568	7	575
Clinton	13	527	12	539
Columbia	9	200	.....	200
Cortland	13	288	21	309
Delaware	1	27	.....	27
Dutchess	36	1,431	176	1,607
Erie	189	29,559	886	30,445
Essex	7	732	17	749
Franklin	6	147	.....	147
Fulton	17	460	8	468
Genesee	17	586	4	590
Greene	5	95	3	98
Herkimer	20	685	.....	685
Jefferson	32	1,452	11	1,463
Kings	171	41,489	625	42,114
Livingston	2	25	.....	25
Madison	15	471	3	474
Monroe	90	15,231	347	15,578
Montgomery	22	1,036	17	1,053
Nassau	8	830	.....	830
New York	438	205,043	6,302	211,345
Niagara	64	2,866	108	2,974
Onelda	65	4,436	227	4,663
Onondaga	86	8,072	823	8,895
Ontario	35	1,297	30	1,327
Orange	80	4,825	938	5,763
Orleans	11	646	.....	646
Oswego	30	1,198	.....	1,198
Otsego	19	916	6	922
Putnam	3	81	.....	81
Queens	42	4,969	16	4,985
Rensselaer	60	5,710	53	5,763
Richmond	27	1,564	.....	1,564
Rockland	19	1,119	.....	1,119
St. Lawrence	36	1,668	30	1,698
Saratoga	47	2,347	36	2,383
Schenectady	61	7,984	10	7,994
Seneca	8	284	20	304
Steuben	43	2,437	21	2,458
Suffolk	7	228	.....	228
Sullivan	1	24	.....	24
Tioga	4	79	2	81
Tompkins	15	647	36	683
Ulster	39	1,696	89	1,785
Warren	25	1,161	51	1,212
Washington	20	2,337	75	2,412
Wayne	10	231	1	232
Westchester	124	8,633	151	8,784
Wyoming	8	133	.....	133
Yates	5	107	.....	107
Total	2,420	386,869	11,625	398,494

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OF THE STATE AT THE END OF SEPTEMBER, 1906.

Number reporting.	Thereof idle.	Per cent. idle.	CAUSES OF IDLENESS. NUMBER IDLE ON ACCOUNT OF— Lack of work.	Lack of stock.	The weather.	Labor disputes.	Disability.	Other specified reasons.	Reason not stated.
8,567	252	2.9	64	3	8	26	88	62	1
61	3	4.9	3						
2,158	45	2.1	14				20	9	2
1,860	64	3.4	25	2			31	6	
1,358	89	6.6	29	1		40	18	1	
1,294	37	2.9	15	3	14		5		
2,517	161	6.4	96				46	19	
538	4	0.7					4		
524	38	7.3	29	4			3	2	
197		0.0							
291	5	1.7	3				2		
26	1	3.8	1						
1,533	19	1.2	13				6		
29,449	1,280	4.3	410	6	38	617	198	11	
749	12	1.6					12		
147	5	3.4	5						
391	4	1.0	4						
573	3	0.5					3		
45		0.0							
676	22	3.3	14				7	1	
1,423	58	4.1	1		7	34	4	12	
42,008	2,324	5.5	976	118	367	364	477	8	14
25		0.0							
470	29	6.2	1			25	1	1	1
15,164	478	3.2	123	32	40	178	105		
973	22	2.3		2	10	6	4		
829		0.0							
195,536	14,577	7.5	9,018	548	71	2,239	1,471	1,009	221
2,647	34	1.3	15				18	1	
4,492	383	8.5	58			250	72	3	
8,831	255	2.9	122	13	5	39	71	2	3
1,156	74	6.4	58				14	2	
5,501	135	2.5	50			11	48	26	
646		0.0							
1,120	139	12.4	16		102		21		
887	16	1.8	2	2			12		
81	7	8.6					2	5	
4,552	18	0.4	11				7		
5,492	248	4.5	191		4		50	3	
1,560	17	1.1					16		1
1,119	14	1.3	2				7	5	
1,615	16	1.0	5				11		
2,328	61	2.6	38	4			16	2	1
7,885	105	1.3	3	3			94	5	
295	9	3.1	3				6		
2,380	130	5.5	64		3		55	7	1
227	3	1.3	2				1		
24	6	25.0	5				1		
66	2	3.0					2		
648	16	2.5	8				8		
1,622	6	0.4	6						
1,116	33	2.9	20				9	2	2
1,683	41	2.4	37				4		
186	4	2.2					4		
8,591	230	2.7	59		5	80	69	17	
118	27	22.9	19	4	2		2		
105	12	11.4	5				7		
376,355	21,573	5.7	11,643	745	676	3,909	3,132	1,221	247

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TABLE X.—IMMIGRATION INTO THE PORT OF NEW YORK, OCTOBER—DECEMBER, 1906:

(a) Destinations of Aliens Arriving, by States and Territories.

(Compiled by the Bureau of Immigration and Naturalization, Department of Commerce and Labor.)

STATE OR TERRITORY.	1905.	1906.
Alabama	333	387
Alaska	9	15
Arizona	192	292
Arkansas	159	225
California	3,076	5,389
Colorado	989	1,503
Conneticut	4,447	6,383
Delaware	202	281
District of Columbia	430	339
Florida	329	445
Georgia	115	181
Hawaii	43	12
Idaho	107	127
Illinois	11,947	15,672
Indiana	96	1,869
Indian Territory	1,167	134
Iowa	749	854
Kansas	604	725
Kentucky	106	135
Louisiana	476	521
Maine	193	340
Maryland	743	929
Massachusetts	6,578	9,352
Michigan	3,147	3,548
Minnesota	1,581	1,903
Mississippi	288	311
Missouri	2,567	3,194
Montana	287	347
Nebraska	698	791
Nevada	82	134
New Hampshire	419	1,106
New Jersey	11,225	15,017
New Mexico	123	146
New York	63,413	79,785
North Carolina	44	89
North Dakota	760	533
Ohio	6,992	10,502
Oklahoma	49	52
Oregon	230	424
Pennsylvania	32,850	44,144
Philippine Islands	.....	4
Porto Rico	48	33
Rhode Island	1,117	1,242
South Carolina	51	81
South Dakota	525	358
Tennessee	394	248
Texas	311	357
Utah	243	489
Vermont	309	371
Virginia	293	424
Washington	531	897
West Virginia	1,152	1,945
Wisconsin	2,271	2,888
Wyoming	263	295
Tourists	187	.....
Grand Total	165,540	217,768

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TABLE X.—IMMIGRATION INTO THE PORT OF NEW YORK FOR THE THREE MONTHS ENDING DECEMBER 31, 1906:
(b) Race or Country of Origin.

RACE OR PEOPLE.	SEX.		TOTAL ADMITTED.	AGE.			Illiteracy.*	Have been in the United States before.	FOURTH QUARTER, 1905.
	Male.	Female.		Under 14 years.	14 to 44.	45 and over.			
African (black)	149	196	345	28	310	7	12	32	192
Armenian	372	198	570	65	482	23	128	10	399
Bohemian and Moravian	1,074	1,030	2,104	413	1,595	96	26	48	2,113
Bulgarian, Servian, Montenegrin	2,940	119	3,059	39	2,983	37	1,660	65	1,305
Chinese	1	.....	1	.....	1	.....	.....	.....	3
Croatian and Slovenian	5,495	1,679	7,174	452	6,577	145	1,855	430	6,227
Cuban	174	43	217	18	183	16	1	110	201
Dalmatian, Bosnian, Herzegovinian	1,051	57	1,108	24	1,049	35	478	23	517
Dutch and Flemish	1,102	655	1,757	355	1,321	81	57	121	1,337
East Indian	14	1	15	.....	15	.....	.....	2	13
English	3,575	2,384	5,959	1,072	4,287	600	25	1,248	5,836
Finnish	1,135	645	1,780	70	1,680	30	8	141	1,456
French	1,365	1,091	2,456	212	2,146	98	43	453	3,004
German	9,916	7,833	17,749	2,688	14,197	864	646	1,289	17,866
Greek	11,149	431	11,580	262	11,257	61	3,035	234	4,256
Hebrew	15,960	13,756	29,716	7,527	20,630	1,559	6,136	272	19,669
Irish	2,626	2,643	5,269	343	4,753	173	53	555	6,050
Italian (North)	10,233	3,289	13,522	1,343	11,755	424	1,088	1,125	9,764
Italian (South)	24,995	11,878	36,873	6,271	28,798	1,804	14,688	2,246	30,941
Japanese	15	3	18	.....	18	.....	.....	.....	30
Korean	1	.....	1	.....	1	.....	.....	1	1
Lithuanian	2,997	1,118	4,115	269	3,801	45	2,270	53	2,369
Magyar	9,794	4,306	14,100	1,302	12,460	338	1,249	831	9,644
Mexican	13	1	14	1	11	2	.....	8	16
Pacific Islander	.....	.....	.....	.....	.....	.....	.....	.....	.....
Polish	16,092	6,924	23,016	1,884	20,800	332	7,770	860	13,999
Portugese	217	83	300	45	240	15	182	18	423
Roumanian	2,431	285	2,716	64	2,593	59	1,073	69	1,345
Russian	2,025	301	2,326	93	2,201	32	973	22	714
Ruthenian (Russniak)	4,564	1,568	6,132	176	5,866	90	3,453	418	3,178
Scandinavian	3,596	3,322	6,918	612	6,025	281	4	576	6,998
Scotch	1,524	973	2,497	451	1,891	155	3	343	2,480
Slovak	7,095	3,720	10,815	1,021	9,601	193	2,077	1,138	9,331
Spanish	778	155	933	72	829	32	168	127	641
Spanish-American	84	30	114	22	75	17	1	39	202
Syrian	786	417	1,203	140	1,035	28	635	88	1,521
Turkish	280	10	290	1	286	3	179	18	906
Welsh	280	177	457	81	338	38	3	58	396
West Indian (except Cuban)	77	67	144	34	96	14	1	33	166
All other peoples	372	33	405	2	399	4	157	6	31
Total	146,347	71,421	217,768	27,452	182,585	7,731	50,137	13,112	165,540

*Number 14 years old and over who could neither read not write; in addition were 735 who could read but not write.

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TABLE XI.—OCCUPATION OF ALIENS ADMITTED IN YEAR ENDING JUNE 30, 1906.

	Destined to New York.	United States.
PROFESSIONAL OCCUPATIONS.		
Engineers (professional)	1,419	2,324
Musicians	802	1,511
Teachers	959	2,071
Other professional	4,259	7,860
Total	7,439	13,766
SKILLED OCCUPATIONS.		
Bakers	2,255	4,760
Barbers and hairdressers	2,561	4,361
Blacksmiths	2,091	5,848
Bookbinders	502	783
Brewers	157	397
Butchers	1,888	4,194
Cabinetmakers	517	1,167
Carpenters and joiners	8,531	18,185
Clerks and accountants	5,566	11,345
Dressmakers	3,028	5,635
Engineers (locomotive, marine, and stationary)	914	2,143
Engravers	88	156
Furriers and fur workers	548	731
Gardeners	603	1,537
Hat and cap makers	554	923
Iron and steel workers	536	1,981
Jewelers	247	394
Locksmiths	1,460	3,407
Machinists	698	1,967
Mariners	4,262	8,737
Masons	5,710	11,779
Mechanics (not specified)	694	1,415
Metal workers (other than iron, steel, and tin)	550	999
Millers	367	1,064
Milliners	472	771
Miners	987	8,717
Painters and glaziers	2,644	4,531
Photographers	246	446
Plasterers	855	1,163
Plumbers	269	673
Printers	603	1,121
Saddlers and harnessmakers	355	745
Seamstresses	4,003	6,699
Shipwrights	53	155
Shoemakers	5,726	12,622
Stokers	509	729
Stonecutters	686	2,112
Tailors	16,722	26,982
Tanners and curriers	291	649
Textile workers (not specified)	245	889
Tinners	799	1,476
Tobacco workers	510	2,670
Upholsterers	243	425
Watch and clock makers	614	1,048
Weavers and spinners	854	3,481
Wheelwrights	177	559
Woodworkers (not specified)	336	765
Other skilled	1,527	3,786
Total	84,053	177,122
MISCELLANEOUS OCCUPATIONS.		
Agents	505	881
Bankers	305	418
Draymen, hackmen, and teamsters	523	1,090
Farm laborers	54,043	239,125
Farmers	3,190	15,288
Fishermen	222	899
Hotel keepers	176	422
Laborers	67,296	226,345
Manufacturers	444	803
Merchants and dealers	9,550	17,054
Servants	39,400	115,984
Other miscellaneous	2,331	6,078
Total	177,985	624,387
No occupation (including women and children)	105,231	285,460
Grand total	374,708	1,100,735

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TABLE XII.—STATISTICS OF BUILDINGS AUTHORIZED IN NEW YORK CITY IN OCTOBER, NOVEMBER AND DECEMBER, 1905 AND 1906.

BOROUGH.	NUMBER OF BUILDINGS.		ESTIMATED COST OF PROJECTED BUILDINGS.		NUMBER OF BUILDINGS—			
					COMMENCED.		COMPLETED.	
	1905.	1906.	1905.	1906.	1905.	1906.	1905.	1906.
NEW BUILDINGS:								
Bronx	502	485	$7,236,135	$4,893,185	440	389	409	494
Brooklyn	2,234	2,063	18,008,420	14,643,329	2,643	1,723	1,543	3,047
Manhattan	544	189	23,105,642	8,902,475	359	188	319	422
Queens	873	1,011	4,163,535	4,294,224	873	717	1,028	732
Richmond	110	218	389,582	886,471	172	300	120	170
Total	4,263	3,966	$52,903,314	$33,619,684	4,487	3,317	3,419	4,865
ALTERATIONS:								
Bronx	144	175	$145,320	$328,895	157	178	187	206
Brooklyn	771	1,018	778,244	1,347,876	895	763	780	915
Manhattan	1,065	772	2,576,925	2,574,215	704	640	869	910
Queens	155	305	164,845	397,438	155	227	220	256
Richmond	127	103	101,257	79,099	158	135	140	112
Total	2,262	2,373	$3,766,591	$4,727,523	2,069	1,943	2,196	2,399
TOTAL OF NEW BUILDINGS AND ALTERATIONS:								
Bronx	646	660	$7,381,455	$5,222,080	597	567	596	700
Brooklyn	3,005	3,081	18,786,664	15,991,205	3,538	2,486	2,323	3,962
Manhattan	1,609	961	25,682,567	11,476,690	1,063	828	1,188	1,332
Queens	1,028	1,316	4,328,380	4,691,662	1,028	944	1,248	988
Richmond	237	321	490,839	965,570	330	435	260	282
Total	6,525	6,339	$56,669,905	$38,347,207	6,556	5,260	5,615	7,264

Number and Estimated Cost of New and Remodeled Tenement Houses Included in the Foregoing Table.

BOROUGH.	NUMBER OF BUILDINGS.		ESTIMATED COST.	
	1905.	1906.	1905.	1906.
NEW TENEMENTS:				
Bronx	138	91	$4,802,000	$2,613,200
Brooklyn	661	603	7,776,700	6,864,600
Manhattan	281	51	14,283,500	3,896,000
Queens	312	97	2,074,700	702,100
Richmond	4	1	14,100	5,600
Total	1,396	843	$28,951,000	$14,081,500
REMODELED TENEMENTS:				
Bronx	18	25	$29,300	$30,150
Brooklyn	82	134	55,390	92,470
Manhattan	797	478	1,401,210	900,150
Queens	13	18	4,245	6,610
Richmond	1	1	6,150	200
Total	911	656	$1,496,295	$1,029,580
TOTAL OF NEW AND REMODELED TENEMENTS:				
Bronx	156	116	$4,831,300	$2,643,350
Brooklyn	743	737	7,832,090	6,957,070
Manhattan	1,078	529	15,684,710	4,796,150
Queens	325	115	2,078,945	708,710
Richmond	5	2	20,250	5,800
Total	2,307	1,499	$30,447,295	$15,111,080

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TABLE XIII.—STATISTICS OF BUILDINGS AUTHORIZED IN BUFFALO, ROCHESTER, SYRACUSE AND TROY, IN OCTOBER, NOVEMBER AND DECEMBER, 1906, AND PREVIOUS YEARS.

CITY AND PERIOD.	NEW BUILDINGS.		ADDITIONS AND REPAIRS.		ALL BUILDINGS.	
	No.	Est. cost.	No.	Est. cost.	No.	Est. cost.
BUFFALO.						
October	175	$439,190	80	$54,320	255	$493,510
November	129	481,210	68	67,290	197	548,500
December	131	410,750	50	40,250	181	451,000
Oct.–December, 1906	435	$1,331,150	198	$161,860	633	$1,493,010
1905	423	*1,561,845	209	239,737	632	*1,801,582
1904	471	1,673,206	184	133,758	655	§1,806,964
1903	386	1,348,255	139	121,851	525	1,470,106
1902	363	1,275,161	140	224,957	503	1,500,118
1901	187	1,903,164	82	78,414	269	1,981,578
1900	160	1,486,033	118	202,573	278	1,688,606
ROCHESTER.						
October	160	$545,425	37	$40,525	197	$585,950
November	109	369,030	24	24,260	133	393,290
December	66	519,315	26	52,205	92	571,520
Oct.–December, 1906	335	$1,433,770	87	$116,990	422	$1,550,760
1905	303	†1,535,727	74	75,300	377	†1,611,027
1904	238	1,000,558	47	32,995	285	¶1,033,553
1903	125	364,605	50	316,093	175	680,698
1902	119	900,900	43	26,382	162	927,282
1901	144	570,002	48	88,533	192	658,535
1900	101	201,220	35	25,240	136	226,460
SYRACUSE.						
October	71	$251,602	38	$19,120	109	$270,722
November	69	259,425	47	77,425	116	336,850
December	38	159,250	14	20,700	52	179,950
Oct.–December, 1906	178	$670,277	99	$117,245	277	$787,522
1905	119	283,150	84	223,835	203	506,985
1904	91	406,250	67	41,990	158	448,240
1903	59	201,000	47	27,540	106	228,540
1902	74	342,775	54	82,590	128	425,365
1901	65	405,380	60	31,335	125	436,715
1900	84	677,705	87	45,253	171	722,958
TROY.						
Oct.–December, 1906	30	$203,500	43	$73,585	73	$277,085
1905	17	‡488,300	20	22,195	37	‡510,495

*Includes a new hospital ($180,000) and a store and office building ($120,000).
§Includes an office building ($300,000) and a church ($100,000).
†Includes a factory ($115,000), a power-house ($140,000) and State armory ($300,000).
¶Includes two stores ($175,000 and $100,000 respectively).
‡Includes two college buildings (125,000 and $115,000 respectively).

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QUARTERLY BULLETINS

[Index and title-page for each volume sent on application; also editorial summaries of some of the BULLETINS out of print.]

1899.	Vol.	I. Nos. 1–3.	(242 pages.)	Nos. 1 and 3 are *out of print.*
1900.	"	II. Nos. 4–7.	(356 pages.)	Nos 4 and 7 are *out of print.*
1901.	"	III. Nos. 8–11.	(346 pages.)	Nos. 9 and 10 are *out of print.*
1902.	"	IV. Nos. 12–15.	(364 pages.)	
1903.	"	V. Nos. 16–19.	(480 pages.)	Nos. 16 and 17 are *out of print.*
1904.	"	VI. Nos. 20–23.	(449 pages.)	No. 23 is *out of print.*
1905.	"	VII. Nos. 24–27.	(480 pages.)	
1906.	"	VIII. Nos. 28–31.	(556 pages.)	

MISCELLANEOUS

MONOGRAPHS ON SOCIAL ECONOMICS

Prepared for the Louisiana Purchase Exposition, St. Louis, 1904.

I. Typical Employers' Welfare Institutions. By G. A. Stevens and L. W. Hatch. (30 pages, 4 illustrations.)

II. Labor Legislation in New York. By A. F. Weber. (30 pages.)

III. The Work of the Department of Labor. By A. F. Weber and L. W. Hatch. (42 pages, with tables and charts.)

IV. The Growth of Industry in New York. By A. F. Weber. (60 pages and charts.)

In addition to its own publications, the Department can supply reports of certain official and semi-official bodies, including the three Departmental Bureaus which formerly existed as separate branches of the State administration. Such reports, so far as they are not exhausted, are listed below.

Proceedings of the annual conventions of the Association of Officials of Bureaus of Labor Statistics of America: Fourteenth (1898), Nineteenth (1903), Twentieth (1904), Twenty-first (1905), and Twenty-second (1906).

Proceedings of the annual conventions of the International Association of Factory Inspectors of America: Second (1888), Seventh (1893), and Fourteenth (1900) to Twentieth (1906).

STATE FACTORY INSPECTOR

Of the fifteen annual reports made by the Factory Inspector (1886–1900), three can be furnished: First (1886), Seventh (1892) and Thirteenth (1898).

BOARD OF MEDIATION AND ARBITRATION

Of fourteen annual reports (1887–1900), only that for 1900 can now be supplied.

BUREAU OF LABOR STATISTICS

Of the eighteen annual reports made from 1883 to 1900, the following are still available:

1890.— EIGHTH ANNUAL REPORT. (2 vols., 1,187 pages.)

Part 1. The Claims of Labor: The Shorter Hours Movement; Rates of Wages and Hours of Labor, 1888–90.

Part 2. Strikes and Boycotts.

1891.— NINTH ANNUAL REPORT. (2 vols., 1,190 pages.)

Part 1. The Effect of the Tariff on Labor and Wages; Rates of Wages in 1890 and 1891.

Part 2. Strikes and Boycotts.

1892.— TENTH ANNUAL REPORT. (2 vols., 1,087 pages.)

Part 1. Economic Development of New York, 1882–1892.

Part 2. Strikes and Boycotts.

Part 3. Statistics of Bakeshops: Wages and Hours of Bakers.

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PUBLICATIONS — Continued

1895.— THIRTEENTH ANNUAL REPORT. (2 vols., 1,256 pages.)

Part 1. Progress of Organized Labor. (418 pages.)

Part 2. Special Investigation: (1) Practical Operation of the Mechanics' Lien Law, Life and Limb Law and the Eight-Hour and Prevailing-Rate-of-Wages Law. (120 pages.) (2) Tenement-House Cigarmaking in New York City. (18 pages.)

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ALBANY

J. B LYON COMPANY, STATE PRINTERS

1907

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No. 33 June, 1907

STATE OF NEW YORK

DEPARTMENT OF LABOR

BULLETIN

Issued Under the Direction of

P. TECUMSEH SHERMAN, Commissioner of Labor

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The Labor Legislation of 1907

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New York Labor Bulletin

Published Quarterly by the State Department of Labor

Vol. IX, No. 2. ALBANY, June, 1907 Whole No. 33

EDITORIAL SUMMARY.

Labor Laws of 1907.

The steadily growing recognition of the need of state interference to protect the interests of wage earners in industrial employments is evidenced in the large body of statutes relating to labor passed at the recent legislative session, and printed in this issue of the BULLETIN. So numerous and important are the measures already signed by the Governor that the general Labor Law is almost recast, particularly in those parts relating to the administration of the law and the regulation of the work of women and children in factories. The act (chapter 505) re-organizing the Department of Labor increases the powers and compensation of the Commissioner of Labor and ends the confusion into which the laws were thrown by the act of 1901 consolidating the Bureau of Labor Statistics, office of Factory Inspector and Board of Mediation and Arbitration. The Legislature provided for fourteen additional employees in the Department, including an assistant factory inspector, a medical inspector of factories, two deputy factory inspectors of a higher grade than any now serving, and two additional inspectors at $1,000, two assistant mediators, two special agents for the Bureau of Labor Statistics, etc. When the new appointments are made, on October 1st, the personnel of the Department will number 95, which is seven more than the total number employed in the three bureaus prior to the consolidation act of 1901. The distribution of the force will be as follows: General administration, the Commissioner of Labor and three subordinates; Bureau of Labor Statistics, under the Chief Statistician, fifteen officers and employees; Bureau of Factory Inspection, under the Factory Inspector (First Deputy Commissioner of Labor), seventy; Bureau of Mediation and Arbitration, under the Chief Mediator (Second Deputy Commissioner),

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six. The re-organization act, which took effect June 15th, changed the constitution of the State Board of Arbitration, which previously consisted of the Commissioner of Labor, and two Deputy Commissioners, by substituting the Chief Mediator, as chairman, and two other officers of the Department to be from time to time designated by the Commissioner. Under the present designation, the Board is composed of Chief Mediator Lundrigan, Industrial Mediator Reagan and Special Agent Bealin. Another new law (chapter 520) authorizes the Superintendent of Public Works to transfer to the Department of Labor his inspectors of steam vessels whenever they are not engaged in their regular duties. As navigation is closed during the winter months, the Department may therefore expect to have for a considerable part of each year the services of two engineering experts, whose knowledge will aid the bureau of factory inspection in devising methods of safe guarding machinery, ventilation, etc. The net result of the new legislation should be a marked improvement in the governmental service devoted to the protection of the health of workingpeople — a service which has now been put on a basis more nearly corresponding with the rank of this state in the commercial and industrial world.

* * *

Health and Safety.

It is the expectation of the Commissioner of Labor that one of the new employees of the bureau of factory inspection will be an inspector of tunnels, which have now been placed under the jurisdiction of the Department of Labor (chapter 399). The underground construction work going forward in New York City has now become so extensive as to overshadow the mining indsutry in this state, and, owing to inadequate inspection and supervision, has been attended with a high rate of mortality from accidents and caisson disease. Another act (chapter 208) provides for stricter inspection of locomotive boilers under the new Public Service Commissions, which have power to investigate accidents on railroads and to order such improvements as will best protect workmen employed by transpor-

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tation, gas and electric lighting companies (chapter 429). Bills were also passed requiring street-car platforms to be enclosed in winter for the protection of motormen in the counties of Kings and Queens and Westchester, while an important amendment was made of the "Factory Law" to secure the proper ventilation of work-rooms, especially those in which injurious dust, gases, vapors, etc., are created (chapter 490). Another act (chapter 485) requires that foundries shall be provided with facilities for drying the working clothes of molders, as well as suitable wash rooms and water service.

* * *

Regulation of Night Work.

The Court of Appeals on the 14th of June affirmed the decision of the Appellate Division of the Supreme Court that a statute forbidding the employment of women in factories after nine o'clock at night is not a regulation in the interest of the public health and therefore constitutes an unwarranted interference with the freedom of contract guaranteed by the Constitution to women as well as men. From this decision many citizens drew the inference that all legislative restrictions upon the hours of work of women are unconstitutional and void, and it has already been suggested that the course followed when the eight-hour law for laborers employed on public work was held unconstitutional be taken again and a constitutional amendment submitted to the electorate which would delegate the necessary authority to the Legislature to enact laws for the protection of women against the dangers of excessive hours of work in industrial employments. But state officials who have closely studied the opinion of the court have taken the position that the decision applies only to the prohibition of night work and not to the provision of law fixing the maximum hours of work per day and week. This view derives additional strength from the fact that the court which first held the night work prohibition void afterward affirmed the constitutionality of the section limiting the duration of employment of women and at that time pointed out the "distinction between a law which prohibits the employment of a woman for

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the slightest period of time during certain hours and one which limits the number of hours in a day or a week during which she may be employed at factory work." The Commissioner of Labor has accordingly issued instructions to his subordinates to continue to enforce that part of the statute which limits the number of hours of work for females of all ages to sixty a week and, with certain exceptions, ten per day, as well as the clause forbidding both male and female minors under the age of 18 years to work in factories after 9 o'clock at night and before 6 o'clock in the morning.

* * *

The New Law. After October 1st the entire subject of hours of labor in factories will be governed by the act (chapter 507 of the laws of 1907) approved June 15, 1907. This statute separates the protected classes into four groups — women 21 years old or over, young women 16–21 years of age, young men 16–18 years old, and boys and girls 14–16 years old, children under 14 years being excluded from factory employment and males over 18 years of age being excepted from the regulations as to hours. The shortest hours are, of course, those fixed for children, which were reduced from 9 to 8 per day, to be performed within the period from 8 A. M. to 5 P. M. The other three classes are limited to 60 hours a week and, with certain exceptions, to 10 hours a day; but the period within which the work may be performed varies from class to class. Young women may not work after 9 P. M., but young men may work any time of the day or night outside of the period from midnight to 4 A. M., and women over 21 years of age, in consequence of the court's decision, are not restricted to any particular period. The act also contains a new provision to prevent the practice of changing or transferring employees, whereby the ten-hour limitation has at times been evaded, and materially changes other defective provisions of the ten-hour law so as to make them enforcible.

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Limiting the Hours of Labor of Men.

The benefits of the shorter day were also extended by the Legislature to men, as well as women and children, although constitutional limitations confine such regulations to occupations like railroading, in which considerations of public safety are involved. Thus the railway telegraphers and other employees who transmit train orders are to have an eight-hour day according to a bill passed, while the train crews are not to be kept on duty for more than sixteen consecutive hours and must then have a rest of eight hours before beginning another "run" (chap. 523). The application of the ten-hour law for street railway employees has been extended from cities of 100,000 population to cities of 50,000 and upwards, thus adding to New York, Buffalo, Rochester and Syracuse, the cities of Albany, Troy, Utica, Schenectady and Yonkers (chap. 243). Still another statute limiting the hours of work is the act (chap. 297) which removes the exemption of the village of Saratoga Springs from the barbers' Sunday closing law during three-quarters of the year, while still permitting the barber shops there to remain open until 1 P. M. on Sundays in the summer season, and also permitting shops in New York City to keep open the same hours throughout the year.

* * *

State of Employment.

In the building trades of New York City the unprecedented activity of 1906 has not continued this year, although operations are still going forward there on a very large scale, and in the other large cities of the state all records are being surpassed. In transportation and manufacturing industries, with scarcely an exception, wage earners are kept as fully employed as they were last year and in many lines the volume of production is increasing. Numerous advances in wages have been granted this year, especially by transportation companies, and very few reductions have been recorded, the most notable being the cut in wages made by the manufacturers of brick at the opening of the present season. While the vast majority of the changes in wages have been accomplished

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without rupture of relations between employers and employees, there have been a few strikes to enforce demands for higher wages. Of 50 labor disputes recorded by the Bureau of Mediation and Arbitration in the first quarter of the year, 24 were for an increase of wages, while only 3 were against a reduction in wages.

* * *

Labor Disputes.

While the number of disputes was somewhat larger than it was a year ago (36), the number of employees concerned was smaller (8,915 this year, 10,703 a year ago) and the amount of working time lost was considerably less, most of this year's strikes being relatively small affairs. At the end of March only 3,970 or less than 1 per cent of 404,000 organized wage earners reporting were out of work on account of trade disputes, the most important of which were the painters' and jacket-makers' strikes in New York City, and the general strikes of compositors and lithographers begun last year. The strike of the metropolitan painters and decorators, who are not represented in the arbitration plan of the Building Trades Association, served to demonstrate the strength of that plan of agreement between the organizations of employers and employees, as all of the unions adhered to the agreement and refused to join in a sympathetic strike to assist the painters, notwithstanding their formal approval of the painters' request for an increase of 50 cents in the daily wage.

* * *

Bureau of Mediation and Arbitration.

Since the March BULLETIN was issued, the Bureau of Mediation and Arbitration has acted upon six requests for its intervention and in two cases (Buffalo switchmen, Albany & Hudson Railway trainmen) assisted in averting threatened strikes. The Bureau has also intervened in a dozen other disputes where its good offices were not specifically requested. Among the disputes which the Bureau assisted in adjusting were those of the Cohoes carders, New York longshoremen, masters and pilots, laborers in a sugar refinery, weavers in a silk mill, etc.

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Trade Unions.

In point of numbers the workingmen's organizations of this state have now attained a strength never before realized. At the climax of the "boom" period of 1898–1903 the New York unions built up a membership that closely approached 400,000 but subsequently declined to 375,000. On the first of April of the present year the aggregate membership was 414,718, of whom 12,515 were women. Two-thirds of the members of labor organizations are in New York City and an additional 20 per cent in the other large cities. In the preceding six months the gain in membership for the entire state amounted to 16,224 or 4.1 per cent. New York City gained 9,259 or 3.6 per cent, Buffalo 2,227 or 7.6 per cent, Schenectady 1,927 or 24.5 per cent, Rochester 601 or 4.2 per cent, and Albany 336 or 4.4 per cent, while Syracuse lost 8 and Troy 329 or 6.4 per cent. The number of unions and union members in the seven cities, April 1st, was as follows: New York 705 organizations and 269,429 members; Buffalo 180 unions and 31,817 members; Rochester 87 unions and 14,895 members; Schenectady 54 unions and 9,777 members; Syracuse 84 unions and 8,337 members; Albany 84 unions and 7,936 members; Troy 48 unions and 4,793 members.

As respects the various trades, the carpenters lead with 31,157 members in 187 local unions, and exceed the bricklayers and painters combined, who have 13,352 and 13,142 craftsmen in their respective organizations. Masons' laborers and excavators rank second and third, with 17,958 and 16,009 members respectively, while the other building trades rank much lower. Among the indoor trades, the cigarmakers lead in numbers, having 10,068 workers in 52 local unions; they are followed by compositors with 43 unions and 9,730 members. The trades next in order are stationary engineers (9,305), machinists (8,046), musicians (8,029), trainmen (8,002), iron molders (7,543), brewery workmen (7,090), plumbers and gas fitters (6,933), team drivers (6,634) and plasterers (6,437). No other organized trade has to exceed 5,000 members, but there are ten trades between the limits of 4,000 and 5,000.

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Immigration. The total number of immigrant aliens admitted at the Port of New York in January, February and March (198,379) was 9,000 less than it was a year ago, but the falling off is explained by European political conditions rather than economic conditions in this country. The number of Hebrews admitted this year (20,000) was 13,000 less than it was a year ago, when there was an extensive exodus from Russia. On the other hand, the number of Italians admitted (58,000) was only 6,000 less than the number who arrived in the corresponding months of 1906 and there was an actual increase in the immigration of Poles, Croates, Bulgarians and others who are attracted hither by opportunities for remunerative employment at manual labor. Over 10,000 immigrants, including 4,000 Italians, had been in the United States before and were therefore counted a second time in the immigration statistics. Just one-third of the immigrants admitted gave New York as the State of destination, —a somewhat smaller portion than heretofore.

* * *

Factory Sanitation. The BULLETIN contains the latest English statistics of the principal diseases of occupation, accompanying an abstract of a chapter in the current report of the Bureau of Labor Statistics on health conditions in the printing trades. Mortality and morbidity statistics both show an unfavorable condition of health among compositors in New York City as compared with foreign cities. There is an undue prevalence of tuberculosis of the lungs, pneumonia and other diseases of the respiratory system, for which inadequate ventilation and sanitation in workrooms is at least partly accountable. The new law on ventilation of factories will bring about a great improvement in these respects, although specific regulations for printing offices such as exist in Germany are recommended by experts.

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WAGES AND EMPLOYMENT.

The economic condition of wage receivers is determined by three factors: (1) The rate of wages, (2) regularity of employment, and (3) the purchasing power of money or the level of prices. Leaving out of consideration the salaried employees, who have relatively permanent employment together with a relatively fixed rate of compensation per month or year, it may be stated that wage rates have been advanced in recent years in almost every trade and occupation. In the present year, railway men have perhaps been the largest gainers in the advance; in addition to the employees of the important steam railroad systems, the operating force of street railway lines in several cities, notably New York and Elmira, have secured higher pay. With the opening of the building season mechanics in the building trades in many localities asked and obtained an advance. In fact, the only conspicuous instance of a reduction in the wage rate this year has been the cut in wages made by the Hudson River brick makers, at the opening of the season in May.

Through the officers of trade and labor unions, the Bureau of Labor Statistics has obtained returns covering the wages and earnings of 322,473 men and 11,022 women in the months of January, February and March. As the reports give the number of days of employment as well as the quarterly earnings of each employee, it is possible to arrive at a rough approximation of the average wage for a day's work, which proves to be $3.04 in the case of men and $1.81 in the case of women. In the corresponding period of last year, the male members of organizations of working-people averaged $3.00 for a day's work. The real increase, however, has been larger than the figures would indicate, as they are affected by the entrance of new classes of workers into the ranks of organized labor. The following table will illustrate:

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TABLE 1.—AVERAGE WAGES RECEIVED FOR A DAY'S WORK BY MALE MEMBERS OF LABOR ORGANIZATIONS IN THE FIRST QUARTER, 1903–7.

GROUPS OF TRADES.	1903.	1904.	1905.	1906.	1907.
1. Building, stone working, etc.	$3 33	$3 41	$3 37	$3 47	$3 73
2. Transportation	2 37	2 36	2 55	2 62	2 75
3. Clothing and textiles	2 37	2 40	2 38	2 47	2 39
4. Metals, machinery and shipbuilding	2 68	2 76	2 88	2 94	3 10
5. Printing, binding, etc.	3 13	3 18	3 23	3 34	3 33
6. Wood working and furniture	2 69	2 68	2 63	2 75	2 82
7. Food and liquors	2 37	2 31	2 47	2 55	2 56
8. Theaters and music	4 30	4 20	4 73	4 81	4 31
9. Tobacco	1 95	2 03	2 04	2 08	2 05
10. Restaurants and retail trade	2 02	2 10	2 24	2 18	2 38
11. Public employment	2 41	2 54	2 59	2 65	2 63
12. Stationary engine tending	2 82	2 72	2 72	2 83	3 15
13. Miscellaneous	2 11	2 12	2 45	2 54	2 63
All trades	$2 74	$2 72	$2 85	$3 00	$3 04

It appears that the average wage received for a day's work in the group of clothing and textile trades declined from $2.47 in the first quarter of 1906 to $2.39 in the corresponding period of the present year. As a matter of fact there was an increase in the average wage in nearly all the more important trades of the group; but in the interval between the two periods there had been organized a large union of (1,100) shirt makers, who earned only $1.41 a day as compared with the average of $2.46 for (243) collar and laundry workers reporting a year ago. The addition of the new union brought down that average to $1.64 and affected the average for the whole group of clothing trades, as revealed in the table. Other advances in wages are probably concealed in the same way, for the growth of trade unions almost invariably proceeds from the higher to the lower grades of labor.

Further details regarding wages appear in Table I of the Appendix.

THE STATE OF EMPLOYMENT.

For the average wage earner steady work is a matter of greater concern than the rate of wages, as social workers long since demonstrated; among the poor themselves, families who accept aid commonly "attribute their misfortunes not to a low rate of wages or affliction or vice, but to irregularity of employment."* Certain occupations are necessarily suspended during particular seasons, although the ingenuity of man is constantly overcoming the

*Bulletin of the United States Bureau of Labor, May, 1906, p. 617.

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obstacles offered by nature. Thus building operations are now carried on in New York City, when necessary, throughout the winter months. At times the proportion of workmen in the building trades who were idle at the end of March has been as low as 6 per cent; but this year trade conditions were less favorable and idleness in the building industry was more general than in any other recent year, not excepting even 1902. Out of 404,027 working men and women reporting from all trades, 77,269 or 19.1 per cent were not at work at the end of March, while 55,627 or 13.8 per cent did not work at all in the first three months of the year. This percentage contrasts unfavorably with the mean ratio for the decade 1897–1906, which was 11.1 percent, and is in fact the most unfavorable showing of any recent year with the exception of 1904, as shown below:

TABLE 2.—NUMBER AND PERCENTAGE OF MEMBERS OF LABOR UNIONS IDLE—

	DURING FIRST QUARTER.		AT THE END OF MARCH.	
YEAR.	Number.	Percentage.	Number.	Percentage.
1897	35,381	24.8	43,654	30.6
1898	18,102	10.1	37,857	21.0
1899	22,658	13.1	31,751	18.3
1900	22,895	10.1	44,336	20.0
1901	26,841	11.3	42,244	18.5
1902	16,776	6.2	36,710	13.6
1903	19,310	5.5	41,941	12.1
1904	55,710	14.6	103,995	27.2
1905	31,638	8.7	54,916	15.1
1906	24,746	6.5	37,237	9.9
1907	55,627	13.8	77,269	19.1

In 1904 the number idle at the end of March on account of the weather or slack trade exceeded 71,000, and this year it was over 67,000. But in 1904 there were also 26,000 workmen idle on account of strikes or lockouts, whereas this year the number was even smaller than usual, thus:

TABLE 3.—CAUSES OF IDLENESS AT THE END OF MARCH, 1904–1907.

	NUMBER.				PERCENTAGE.			
CAUSE.	1904.	1905.	1906.	1907.	1904.	1905.	1906.	1907.
Lack of work	34,685	28,759	16,719	52,031	33.3	52.4	44.9	67.3
Lack of stock	1,213	1,343	1,397	1,819	1.2	2.4	3.7	2.4
Weather	36,600	16,005	10,682	15,471	35.2	29.1	28.7	20.0
Labor disputes	25,723	4,814	4,787	3,970	24.7	8.8	12.9	5.2
Disability	3,898	2,942	3,005	3,563	3.8	5.4	8.1	4.6
Other reasons	1,573	794	552	315	1.5	1.4	1.5	0.4
Reason not stated	303	259	95	100	0.3	0.5	0.2	0.1
Total	103,995	54,916	37,237	77,269	100.0	100.0	100.0	100.0

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Further examination of the statistics given in Table II of the Appendix on the causes of idleness shows that 53,000 of the 77,000 idle at the end of March were workers in the building industry, which in New York City has experienced a reaction from the unprecedented activity of the past year or two. Thus, only 4,540 buildings were begun in the first three months of 1907 as compared with 5,153 a year ago, and the estimated cost of buildings authorized in the same period declined to $49,213,-357 from $64,741,914 a year ago.* In manufacturing industries, however, the demand for labor was very active, as may be seen in the following table:

TABLE 4.—IDLENESS OF MEMBERS OF LABOR ORGANIZATIONS: BY INDUSTRIES.

GROUPS OF TRADES.	AT END OF MARCH. Number, 1907.	Percentage. 1907.	1906.	1905.	1904.	DURING FIRST QUARTER. Number, 1907.	Percentage. 1907.	1906.	1905.	1904.
1. Building, stone working, etc.	53,471	37.3	11.1	21.9	51.1	42,009	29.2	6.8	12.5	29.1
2. Transportation	8,273	12.7	14.1	14.6	21.0	6,347	9.7	12.3	13.4	16.8
3. Clothing and textiles	4,819	12.4	14.3	19.5	24.9	990	2.6	6.0	1.6	6.5
4. Metals, machinery, etc.	1,641	4.2	4.8	9.2	12.7	800	2.0	2.2	4.3	5.8
5. Printing, binding, etc.	2,545	9.9	9.4	8.0	16.8	1,988	7.7	8.1	4.9	4.0
6. Wood working, etc.	1,583	13.0	7.1	18.7	20.6	942	7.7	4.9	11.7	11.8
7. Food and liquors	975	7.1	5.6	7.7	9.7	412	3.0	3.3	2.5	5.8
8. Theaters and music	1,284	13.2	7.3	8.0	2.9	1,181	12.2	6.4	7.7	2.4
9. Tobacco	400	3.5	6.4	11.7	9.5	247	2.1	3.1	8.3	3.7
10. Restaurants, retail trade	224	2.8	4.0	6.5	7.5	72	0.9	1.5	4.0	2.7
11. Public employment	1,297	13.9	2.6	6.0	20.5	145	1.6	0.8	2.1	1.7
12. Stationary engine men	263	1.9	2.7	3.3	8.7	212	1.5	2.3	2.5	3.8
13. Miscellaneous	494	3.8	7.0	9.3	10.4	282	2.1	2.3	4.6	4.2
Total	77,269	19.1	9.9	15.1	27.2	55,627	13.8	6.5	8.7	14.6

In only four of the thirteen industries or groups of trade in which all the wage earners are classified was there more idleness during the first quarter of the present year than in the unusual year 1906; these included musicians (Group VIII) and workmen in the various structural industries, namely, building mechanics and laborers (Group I), cabinet makers, wood carvers, etc. (Group VI, Wood Working and Furniture), and dock builders (Group XI, Public Employment).

The figures of idleness at the end of the quarter are much the same, although there is a slightly higher percentage of idle

*Table IV of the Appendix. The other large cities, on the other hand, report an increased number of building permits this year (Table IVb).

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members this year in two other industries — printing and food products (bakers and egg inspectors). In the important groups of the transport trades, the clothing trades and the metal trades, the state of employment was more favorable at the end of March than it has been in any recent year.

TABLE 5.—NUMBER OF UNION MEMBERS IDLE AT END OF MARCH ON ACCOUNT OF—

	LABOR DISPUTES.			DISABILITY.			ALL OTHER REASONS.		
INDUSTRY.	1905.	1906.	1907.	1905.	1906.	1907.	1905.	1906.	1907.
Building, etc.	3,210	1,274	1,261	803	915	888	22,394	12,608	51,322
Transportation	81	290	.....	436	522	560	8,723	8,073	7,713
Clothing and textiles	425	1,094	1,141	225	148	207	5,405	3,403	3,471
Metals, machinery, etc.	270	438	186	344	376	479	2,502	850	976
Printing and binding	41	1,301	1,288	434	380	476	1,603	856	781
Wood working	679	87	84	140	136	119	1,461	624	1,380
Food and liquors	32	20	1	77	65	119	946	672	855
Theaters and music	22	.....	.....	23	15	18	770	783	1,266
Tobacco	.....	172	3	221	192	301	1,154	423	96
Restaurants, retail trade	.....	.....	.....	62	46	26	562	249	198
Public employment	.....	.....	.....	122	101	291	432	154	1,006
Stationary engine men	.....	103	.....	15	52	26	382	151	237
Miscellaneous	54	8	6	40	57	53	826	599	435
Total	4,814	4,787	3,970	2,942	3,005	3,563	47,160	29,445	69,736

The principal causes of the idleness at the end of March, which have already been suggested, are shown more fully in the foregoing table. The number idle on account of labor disputes is even smaller than in 1906. In the building industry, the only important dispute was that of the painters in New York City, and two-thirds of the one thousand men then idle have since obtained employment, as reported in a subsequent article in this issue. Some two hundred housesmiths in New York City were also involved in a strike, but otherwise the building industry was remarkably free from labor disputes. In the clothing trades, 1,050 children's cloak and reefer makers in New York City ceased work for two months before they succeeded in their effort to have the employers furnish the sewing machines which they operated. In the metal trades there was very little idleness from strikes. The industry most affected by disputes both this year and last was the printing business; of the 1,288 printers idle at the end of March on account of disputes, slightly more than one-half were lithographers, nearly all the others being compositors.

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Exclusive of labor disputes and personal disability, which is a relatively constant factor from year to year, the causes of idleness are largely dependent upon trade conditions and are therefore combined in the preceding table. It is again seen that the numbers idle this year noticeably exceed those of last year only among musicians and in the trades affected by the relapse in building operations in New York City. Similar conclusions are reached after an examination of the statistics respecting the duration of employment of the wage earners who worked at all in the first quarter:

TABLE 6.—AVERAGE NUMBER OF DAYS EMPLOYED (MEN ONLY) IN THE FIRST QUARTER 1902–1907.

INDUSTRIES.	Number employed, 1907.	AVERAGE NUMBER OF DAYS WORKED. 1907.	1906.	1905.	1904.	1903.	1902.
1. Building, stone working, etc	101,034	52.9	63.4	50.6	47.4	57.6	56
2. Transportation	53,882	81.5	80.1	80.6	77.5	77.9	76
3. Clothing and textiles	31,485	64.7	65.5	60.4	58.1	63.0	63
4. Metals, machinery, etc	37,896	71.7	72.3	71.4	69.3	73.0	75
5. Printing, binding, etc	22,416	72.1	75.2	69.1	69.6	71.6	72
6. Wood working and furniture	10,528	66.4	70.5	65.5	65.1	69.7	70
7. Food and liquors	13,359	73.3	72.2	71.8	72.7	71.0	75
8. Theaters and music	3,404	72.1	76.3	76.9	70.4	61.4	71
9. Tobacco	8,834	74.1	70.6	69.1	65.5	68.9	70
10. Restaurants and retail trade	7,475	78.3	80.6	79.7	76.0	76.5	77
11. Public employment	9,068	78.2	84.3	81.2	83.3	81.3	83
12. Stationary engine men	12,404	81.8	81.1	81.7	78.2	79.9	*
13. Miscellaneous	10,688	73.8	73.0	69.7	71.3	70.9	73
Total—Men	322,473	67.5	70.7	65.6	64.7	67.8	67
Total—Women	11,022	69.2	71.5	67.8	64.2	68.7	69

The building and furnishing trades (including dock builders in group XI who averaged only forty days of employment) exhibit a considerable falling off in the average number of days of employment in the first three months of this year. In certain other industries there is also a decline of a fraction of a day, as compared with the exceptional figures of last year; but this small decline is accounted for by the fact that there was one less working day in the quarter this year than last.†

*Included in group IV.

† As a general rule there are 77 working days in a quarter, but in the present year there were 13 Sundays, which being deducted with New Year's Day from the 90 days in the quarter, left only 76 working days.

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QUARTERLY EARNINGS.

Despite the enforced idleness in the building trades of New York City, earnings averaged higher in the first three months of the present year than in any other year except 1906. General averages for large classes of workers in various occupations and industries are too crude to measure precise gains or losses, but they do at least reflect the trend of wages. As shown in Table I of the Appendix, the aggregate earnings of 322,473 working men making reports for the first quarter of the year were $66,113,301, yielding an average of $205 each. This may be compared with the averages for the corresponding months in the years 1897 to 1905, which ranged from $145 in the first-mentioned to $187 in the last-mentioned year. In the exceptional year 1906, the average was $212.

In the table on the following page, a comparison is made of the average earnings of working men, in the past five years, in each industry or group of trades.

Of the 322,473 working men who worked at all in January, February or March, slightly more than one-fifth earned less than $150, but nearly all of these more than $75; about two-fifths earned between $150 and $225 and the remaining two-fifths earned upwards of $225. Those in the latter class predominated in the building trades, metal trades, printing, theaters and music, and public employment, while over three-fourths of the stationary engine men were in that class.

TABLE 8.—DISTRIBUTION OF EACH 100 MALE MEMBERS OF LABOR ORGANIZATIONS ACCORDING TO AMOUNT EARNED IN THE FIRST QUARTER OF—

GRADES.	1900.	1901.	1902.	1903.	1904.	1905.	1906.	1907.	Total members, 1907.
Less than $75..	6.1	6.5	3.8	3.9	7.5	8.9	2.3	2.9	9,293
$75–$149.....	29.1	26.6	27.0	23.3	27.4	21.0	18.7	20.0	64,363
$150–$225.....	41.9	41.1	41.8	46.7	41.7	43.3	40.6	39.8	128,489
Over $225.....	22.9	25.8	27.4	26.1	23.4	26.8	38.4	37.3	120,328
Total.....	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	322,473

Regarding the purchasing power of wages, it may be said that prices of commodities have advanced considerably in the past twelve months, and according to expert testimony rents, at least in New York City, have risen even more than prices. The subject is so complicated as to require minute investigation and will therefore be treated in the annual report of the Bureau of Labor Statistics.

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TABLE 7.—AVERAGE EARNINGS OF MALE MEMBERS OF LABOR ORGANIZATIONS IN THE FIRST QUARTER, 1903–7.

INDUSTRY.	AVERAGE QUARTERLY EARNINGS.					Number employed, 1907.
	1903.	1904.	1905.	1906.	1907.	
1. Building, Stone Working, Etc.	$192	$161	$171	$220	$198	101,034
Stone working	240	202	258	247	215	6,015
Building and paving trades	195	174	201	246	211	79,643
Building and street labor	165	104	90	155	123	15,376
2. Transportation	185	183	203	210	224	53,882
Railways	215	211	225	234	262	24,068
Navigation*	155	156	254	254	272	7,180
Teaming and cab driving	144	147	176	174	174	16,796
Freight handling	143	147	145	155	151	4,470
Telegraphs	†	†	161	163	167	1,368
3. Clothing and Textiles	149	140	144	162	154	31,485
Garments	151	135	136	159	156	20,888
Shirts, collars and laundry	187	224	213	190	123	1,462
Hats, caps and furs	144	155	160	161	138	3,712
Boots, shoes and gloves	140	143	163	172	152	2,884
Textiles	141	144	179	174	188	2,539
4. Metals, Machinery and Shipbuilding	196	188	206	212	223	37,896
Iron and steel	193	187	205	211	223	31,872
Other metals	213	189	217	225	213	4,268
Shipbuilding	206	206	193	214	239	1,756
5. Printing, Binding, Etc.	224	217	223	252	240	22,416
6. Wood Working and Furniture	188	174	172	194	187	10,528
7. Food and Liquors	168	168	177	184	188	13,359
Food products*	157	152	170	178	185	6,350
Beverages	184	198	185	190	190	7,009
8. Theaters and Music	264	296	364	367	311	3,404
9. Tobacco	134	133	141	147	152	8,834
10. Restaurants and Retail Trade	155	158	178	176	186	7,475
Hotels and restaurants	156	160	181	186	183	5,850
Retail trade	153	154	171	152	196	1,625
11. Public Employment	199	214	210	224	206	9,068
12. Stationary Engine Men	225	213	211	229	257	12,404
13. Miscellaneous	149	151	171	185	194	10,688
Paper and paper goods	146	140	131	143	149	3,293
Barbering	141	144	147	154	164	2,726
Leather and leather goods	118	127	165	171	178	1,136
Glass and glassware	241	248	292	312	306	1,235
Cement and clay products	‡	‡	123	200	217	541
Other distinct trades	161	156	246	244	261	1,585
Mixed employment	91	93	104	107	145	172
Total	$186	$175	$187	$212	$205	322,473

* Marine cooks and stewards were transferred in 1904 from "Food Products" (Group VII) to "Navigation" (Group II).
† Included in "Railways."
‡ Included in Group I.

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WAGES OF ARTIFICIAL FLOWER MAKERS.

The March BULLETIN (page 57) contained some statistics of wages earned by strawbraid sewers in New York City, who make wages of $15 to $35 a week, as a consequence of their skill and the reluctance of manufacturers to undertake the training of additional operatives for a trade peculiarly subject to the vagaries of fashion. Another minor industry which is almost wholly confined to New York City is the making of artificial flowers, which the metropolis has developed with considerable rapidity in the last few years. According to the last census of occupations, there were two thousand artificial flower makers in this state; the number is now probably somewhat larger, but the following statistics embracing 1,015 employees doubtless represent nearly one-half of the workers in the industry. The inspector who collected the figures in April last says that they cover all classes of factories, some making only the cheapest and others the highest grade only. Some of the firms from which reports have been collected manufacture feathers also and one establishment makes decorative plants. The largest factory reporting employed 142 workers, the smallest 21, thus:

ESTABLISHMENTS REPORTING.	NUMBER OF EMPLOYEES.		
	Male.	Female.	Total.
A	4	35	39
B	8	65	73
C	4	36	40
D	3	18	21
E	8	39	47
F	19	33	52
G	20	73	93
H	6	57	63
I	18	15	33
J	5	40	45
K	6	60	66
L	2	25	27
M	9	133	142
N	35	30	65
O	16	62	78
P	8	123	131
	171	844	1,015

Two or three of the sixteen firms represented in the table reported the average weekly earnings of employees for the entire

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season, but in most cases the inspector merely tabulated one weekly pay-roll. The result is shown below:

NUMBER OF EMPLOYEES EARNING SPECIFIED AMOUNTS PER WEEK.

Weekly wage.	Males.	Females.
$3 00	.....	38
3 25	.....	2
3 50	.....	10
4 00	3	67
4 50	2	65
5 00	10	58
5 25	1	.....
5 50	4	25
6 00	21	101
6 50	3	16
6 88	.....	42
7 00	14	53
7 50	1	12
7 62	.....	18
8 00	13	63
8 50	.....	24
8 73	.....	49
9 00	11	55
9 50	8	7
10 00	12	49
10 50	3	7
10 81	.....	28
11 00	3	9
11 50	4	.....
12 00	17	28
12 50	4	.....
13 00	3	3
14 00	5	1
14 50	3	2
15 00	7	3
16 00	5	1
17 00	.....	1
18 00	2	1
19 00	.....	2
20 00	.....	3
22 00	1	.....
23 50	6	.....
24 00	.....	1
25 00	3	.....
33 00	1	.....
50 00	1	.....
	171	844

The lowest wages paid to a man or boy is $3 a week, the highest $50, which in all probability goes to an employee who manages the business. The most usual wages is $6, but $7, $8, $9, $10 and $12.50 are also common. The average, or better, the median wage would be about $9.70 a week.

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While the men, who do the more skilful work of designing, cutting, dyeing, etc., are usually employed by the week, the women and girls as a rule do piece work. The median wage, representing the point at which those earning more just balance those earning less than the median, is about $6.80. This is just about $1 above the average wage of female makers of artificial feathers and flowers revealed in the Federal census of manufactures of 1904–5. All the manufacturers interviewed by the inspector, in fact, reported that they had been obliged to pay higher wages this year and that even then they could not procure sufficient help.

Several employers stated that many of the workers take work home at night and thus add to the wages reported. The largest concern represented in the statistics states that earnings from night work during five or six months every year are equivalent to one-sixth of the weekly wage for fully one-half of their employees.

The period of employment varies so much for the different employees that satisfactory figures could not be obtained. The following is probably as complete a tabulation as can be presented:

AVERAGE WEEKLY WAGES.	MALES WORKING—		FEMALES WORKING—	
	Full time.	Part time.	Full time.	Part time.
$13.00 and over	41	0	5	0
10.50 to $12 50	15	7	35	0
8 00 to 10 00	24	61	126	28
7.00 to 8 00	5	14	217	69
6.00 to 7 00	1	3	43	176
Under $6.00	2	7	23	47
Total	88	92	499	320

A glance at this summary shows that the high-salaried men and women usually worked full time — that is about fifty weeks a year. But the boys and girls and the unskilled or inefficient workers, who do the "cheaper" kinds of work, are employed only part of the time — from three to six months a year.

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CHILDREN WORKING IN NEW YORK CITY TENEMENTS.

Second Report.

In the March BULLETIN (pages 67–69) were presented two tables of statistics respecting the employment of children at home in connection with tenement manufactures in New York City. The investigation was continued from March 5th to 19th, with the results exhibited in the accompanying table.

TABLE IV.—CHILDREN FOUND WORKING IN TENEMENTS ON MACDOUGAL, SULLIVAN AND THOMPSON STREETS.

AGES.....	4	5	6	7	8	9	10	11	12	13	14	Totals.
Number working *.....	3	14	16	30	27	46	40	29	50	42	28	325
Boys.....	1	3	4	8	9	17	6	12	13	9	7	89
Girls.....	2	11	12	22	18	29	34	17	37	33	21	236
Number who attend school.	...	9	14	30	27	45	40	29	50	41	24	309
Number who do not attend school.....	3	5	2	....	....	1	....	....	....	1	4	16
Number found in daytime.	2	10	10	17	17	23	27	14	26	24	19	189
Number found after 6 P. M.	1	4	6	13	10	23	13	15	24	18	9	136
Number making artificial flowers.....	....	9	14	30	27	44	39	27	47	37	28	302
Number finishing corsets..	....	1	....	....	....	2	1	2	3	5	....	14
Number separating leaves.	3	4	2	....	....	....	....	....	....	....	....	9

Number of families in which 2 children work, 56.
Number of families in which 3 children work, 29.
Number of families in which 4 children work, 10
Number of families in which 5 children work, 1.
Number of families in which 6 children, work, 1

The number of houses visited in the course of this inspection was 157, containing 3,288 apartments, of which 509 were used for manufacturing purposes. No record was made of the number of adult workers (including therein children over 14 years of age), but in a separate series of inspections of 100 of the houses *during school hours,* 513 persons were found at work or 5.13 persons to a house. The estimated total for the 157 houses, on the same basis, would be 805, in addition to the 325 children.

The following table summarizes the 157 houses by streets:

STREETS.	Houses.	Apartments.	Apartments in which work is done.	Persons at work.	Houses not reporting as to number of workers.
Macdougal.....	30	658	71	35	21
Sullivan.....	70	1,387	266	291	16
Thompson.....	57	1,243	172	187	20
Total.....	157	3,288	509	513	57

*Inclusive of children not found at work but who admitted working, 60.

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LABOR ORGANIZATIONS IN NEW YORK.

Workingmen's protective organizations, since the industrial relapse of 1903–4, have been steadily gaining in strength in New York, and the present year has been one of especially rapid growth. On the one hand, the work of organizing new unions has been actively carried on, and on the other hand the number of organizations forced to the wall through insufficient interest of the members is smaller than usual. In the half-year October 1, 1906, to April 1, 1907, the Bureau of Labor Statistics listed 146 new trade and labor unions, whereas only 107 of the existing unions went out of existence in that period. Of these 88 were dissolved, while 19 were amalgamated with other organizations. These figures do not include 16 unions that were re-organized through change of name, affiliation, etc. The gains and losses in the various industries are indicated in the following table:

NUMBER OF LABOR UNIONS DISBANDED, AMALGAMATED OR ORGANIZED OCTOBER 1, 1906–APRIL 1, 1907.

INDUSTRY.	Re-organized.	Disbanded.	Amalgamated.	Total lapsed.	New organizations.	Net change.
1. Building, stone working, etc.	8	13	4	17	23	+6
2. Transportation	..	15	....	15	37	+22
3. Clothing and textiles	2	12	....	12	17	+ 5
4. Metals, machinery, etc.	5	8	9	17	22	+ 5
5. Printing	..	3	1	4	1	— 3
6. Wood working and furniture	1	5	1	6	3	— 3
7. Food and liquors	..	3	1	4	2	— 2
8. Theaters and music	..	4	....	4	4	....
9. Tobacco	..	....	....	....	....	....
10. Restaurants and retail trade	..	7	....	7	9	+ 2
11. Public employment	..	2	....	2	11	+ 9
12. Stationary engine men	..	3	....	3	....	— 3
13. Miscellaneous	..	13	3	16	17	+ 1
Total	16	88	19	107	146	+39

The principal losses were in the building trades, the metal trades, the miscellaneous trades, the transport trades, and the clothing trades, and these same trades gained most of the new unions. As the net result of the changes, the transport trades made a gain of 22 organizations out of the total of 39 for all

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trades. The switchmen alone organized 10 new unions in the period under consideration, while teamsters also gained additional unions; and in Group XI, Public Employment, several of the 11 new unions are organizations of drivers and hostlers employed in the street cleaning department of New York City.

At the end of March there were 2,459 trade and labor unions in the state, as compared with 2,420 six months earlier. The number of organizations is still smaller than it was at the end of the "boom" period of 1898–1903; but the aggregate membership, on the other hand, has attained a figure never before reached. For the first time there are recorded more than 400,000 organized wage earners in the Empire State, thus:

NUMBER AND MEMBERSHIP OF LABOR UNIONS, 1897–1907, WITH SEMI-ANNUAL INCREASE.

YEAR.	ORGANIZATIONS.			MEMBERS.		
	March.	Sept.	Increase Sept.-Mar.	March.	Sept.	Increase Sept.-Mar
1897.....	927	1,009	.....	142,570	168,454	.....
1898.....	1,048	1,087	39	179,955	171,067	11,501
1899.....	1,156	1,320	69	173,516	209,020	2,449
1900.....	1,452	1,635	132	232,533	245,381	23,513
1901.....	1,742	1,871	107	244,851	276,141	*530
1902.....	1,930	2,229	59	279,950	329,101	3,809
1903.....	2,362	2,583	133	357,102	395,598	28,001
1904.....	2,555	2,504	*28	399,699	391,676	4,101
1905.....	2,420	2,402	*84	374,531	383,236	*17,145
1906.....	2,411	2,420	9	394,270	398,494	11,034
1907.....	2,459	.....	39	414,718	.....	16,224

In the half-year ending October 1, 1906, there was a gain of 4,200 in the membership, bringing the aggregate once more very close to the 400,000 line, which had almost been reached in 1903. In the last six months a further gain of 16,224 brought the aggregate to 414,718. As there are only 12,515 women members and relatively few boys in New York unions, the number of adult males is little short of 400,000, which is slightly more than one-fourth of the total number of votes (1,492,219) cast at the gubernatorial election of 1906.

The present strength of trade unionism and the latest gains made in the principal cities are exhibited in the following table:

*Decrease.

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NUMBER AND MEMBERSHIP OF LABOR UNIONS IN LEADING CITIES

CITY.	ORGANIZATIONS.			MEMBERSHIP.			
						INCREASE.	
	Sept., 1906.	March, 1907.	Change	Sept., 1906.	March, 1907.	Number.	Per cent.
New York	680	705	+25	260,170	269,429	9,259	3.6
Buffalo	174	180	+ 6	29,590	31,817	2,227	7.6
Rochester	87	87	0	14,294	14,895	601	4.2
Schenectady	58	54	— 4	7,850	9,777	1,927	24.5
Syracuse	80	84	+ 4	8,345	8,337	*8	*0.1
Albany	80	84	+ 4	7,600	7,936	336	4.4
Troy	52	48	— 4	5,122	4,793	*329	*6.4
Total	1,211	1,242	+31	332,971	346,984	14,013	4.2
All other places	1,209	1,217	+ 8	65,523	67,734	2,211	3.4
Grand total	2,420	2,459	+39	398,494	414,718	16,224	4.1

The average gain in the membership of all unions was equal to 4.1 per cent for the entire state. This percentage was exceeded in four of the seven leading industrial centers, namely, Buffalo, Rochester, Schenectady and Albany; New York City's gain was a fraction less (3.6 per cent), while Syracuse remained virtually stationary and Troy sustained a decrease of 6.4 per cent. The remarkable increase in Schenectady is conspicuous; it is of course in the metal trades, to which the mass of the wage earners in Schenectady belong. Further details are given in Table III, of the Appendix, for the seven cities, which together contain nearly one-half of the labor organizations in the state and about four-fifths of the members of labor unions. In the smaller cities and villages, the average gain in membership was noticeably smaller and there were only eight more organizations in April than in October. Gains were made in Cohoes, with six new unions (textile workers in the main), Elmira and Amsterdam. Buffalo reported ten new unions, and a net gain of six; Schenectady ten new unions, and a net loss of four; Albany six new unions, and Syracuse five.

In New York City there were increases in membership in the transport and clothing trades, in restaurants and retail trade, in stationary engine tending and in the miscellaneous trades. The principal decrease was in the theatrical trades, but there were smaller declines in the printing trades, wood working, building and tobacco trades, as shown in the table below.

*Decrease.

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CHANGE IN NUMBER OF LABOR ORGANIZATIONS AND MEMBERSHIP OF SAME IN NEW YORK CITY AND THE REMAINDER OF THE STATE, OCT. 1, 1906, TO APRIL 1, 1907.

INDUSTRY.	ORGANIZATIONS.		MEMBERS.		
	N. Y. City.	Other places.	New York City.	Other places.	New York State.
1. Building, stone working, etc...	+ 4	+ 2	— 130	+ 181	+ 51
2. Transportation.....	+ 6	+17	+3,702	+2,012	+ 5,714
3. Clothing and textiles.....	+ 2	+ 3	+3,482	+ 228	+ 3,710
4. Metals, machinery, etc.....	+ 2	+ 3	+ 525	+2,953	+ 3,478
5. Printing and binding.....	— 2	— 1	— 680	— 184	— 864
6. Wood working.....	.....	— 3	— 444	+ 61	— 383
7. Food and liquors.....	+ 2	— 4	+ 245	+ 28	+ 273
8. Theaters and music.....	.....	.....	—1,332	+ 174	— 1,158
9. Tobacco.....	.....	.....	— 204	+ 63	— 141
10. Restaurants and retail trade....	.....	+ 2	+1,033	— 361	+ 672
11. Public employment.....	+ 6	+ 3	+ 87	+ 106	+ 193
12. Stationary engine men.....	.....	— 3	+1,602	— 359	+ 1,243
13. Miscellaneous.....	+ 5	— 5	+1,373	+2,063	+ 3,436
Total.....	+25	+14	+9,259	+6,965	+16,224

Outside of the metropolis the only industries in which the membership declined were printing, retail trade, and stationary engine tending.

Among the individual trades the carpenters as heretofore have much the largest membership in their unions. Exclusive of carpenters working in mills, car shops or on ships, they have 187 unions in this state with an aggregate membership of 31,157. Bricklayers and masons have 82 unions with 13,352 members, in addition to which are a few unions composed exclusively of stone masons; painters and decorators follow with 97 organizations and 13,142 members. The other building trades do not compare with these three in numerical strength, but two classes of unskilled laborers rank next to the carpenters — the hod carriers and excavators.

As shown in the table there are 26 organized trades in New York which have at least 4,000 members. In almost every case, there has been considerable growth in the past year, while the changes since 1894 have been conspicuous in all occupations with a few exceptions like the printers, cigarmakers and railway employees, who were already strongly organized at the earlier date.

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NUMBER AND MEMBERSHIP OF UNIONS IN THE PRINCIPAL TRADES.

TRADES.	UNIONS.			MEMBERS.		
	1894.	1906.	1907.	1894.	1906.	1907.
Carpenters and joiners	86	181	187	9,021	24,793	31,157
Hod carriers	27	43	52	6,742	16,389	17,958
Excavators	....	2	2	.....	15,400	16,009
Bricklayers and masons	47	79	82	7,738	12,894	13,352
Painters and decorators	25	90	97	4,458	13,322	13,142
Cigarmakers	47	52	52	8,198	10,655	10,068
Compositors	27	48	43	7,068	9,813	9,730
Stationary engineers	10	64	59	939	7,487	9,305
Machinists	17	61	59	1,180	7,518	8,046
Musicians	17	37	36	4,584	7,919	8,029
Trainmen	29	47	45	1,521	7,521	8,002
Iron molders	30	49	48	3,158	7,489	7,543
Brewery workmen	24	53	49	3,153	6,797	7,090
Plumbers and gas fitters	*11	48	51	*3,895	7,410	6,933
Team drivers†	1	15	19	47	6,628	6,634
Plasterers	4	14	16	2,703	5,354	6,437
Electrical apparatus makers	....	17	14	.....	2,887	4,872
Telegraphers	....	17	15	.....	3,907	4,849
Firemen, locomotive	31	41	44	2,439	4,541	4,768
Electrical workers	2	36	38	666	5,310	4,655
Stationary firemen	1	15	13	36	4,047	4,588
Engineers, locomotive	34	41	42	3,241	4,318	4,532
Letter carriers	2	85	87	1,183	4,053	4,208
Jacket makers	3	4	6	2,675	2,800	4,202
Roofers and sheet metal workers	8	37	43	1,854	3,624	4,035
Cabmen and coach drivers	4	10	12	779	2,603	4,014

The number of women in the labor organizations of this state April 1, 1907, was 12,515 as compared with 11,625 six months previous. The increase of 900 is contributed by New York City and is largely in the garment trades, with a gain of 500; while trunk and bag making and the tobacco trades contribute 200 and 100 respectively.

*Includes steam fitters and helpers.

†Includes commission wagon drivers, delivery wagon drivers, express and mail wagon drivers, ice handlers and truck drivers; does not include beer drivers or hostlers employed in municipal departments.

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INDUSTRIAL RELATIONS IN NEW YORK.

Statistics of Disputes in January, February and March.

Fifty industrial disputes involving stoppage of work were begun in the first quarter of 1907 as shown by the records of the Bureau of Mediation and Arbitration. There were 8,915 direct participants in these disputes and 5,568 others who were forced into temporary idleness by them though not themselves directly concerned in the controversies. The total loss of working time within the quarter on account of strikes and lockouts aggregated approximately 173,529 days. Of this amount, 159,680 days were lost in connection with the new disputes of the quarter (87,986 by those directly concerned and 71,694 by those indirectly involved), in addition to which there was a loss of 12,849 days in seven disputes which began in the last quarter of 1906 but continued into the first quarter of this year.

Disputes were much more numerous in the first quarter of 1907 than in the corresponding quarter of any of the last four years but so large a proportion of this year's disputes were of small dimensions that the average number of employees directly concerned was this year far below that in any other first quarter since 1902, thus:

		First Quarter.				
		1907.	1906.	1905.	1904.	1903.
Number of new disputes		50	36	15	28	27
Employees directly concerned.	Total	8,915	10,703	7,923	15,353	7,800
	Average per dispute	178	297	528	548	289

Only a half dozen of the new disputes of the first three months of 1907 were of a size sufficient to cause the loss of as much as two thousand days of working time in the quarter, as compared with thirteen such in the first quarter of 1906. All but one of the six leading disputes this year were in New York City and three were in the clothing trades of the metropolis, as follows:

Locality.	Trade.	Date.	Employees Involved. Directly.	Indirectly.	Aggregate days lost.
New York City...	Trouser makers.....	Jan. 20–Feb. 3.	2,800	3,000	69,600
*Cohoes.....	Knit goods makers...	Jan. 2–18.....	30	2,265	34,425
New York City...	Knee pants makers..	Jan. 21–Feb. 6.	1,600	.....	12,800
*New York City..	Cloak and reefer m'k's	Mar.22-May 25	1,200	.....	†9,600
New York City...	Cigar makers.....	Feb. 18-Mar 23	300	.....	9,000
*New York City	Vaudeville actors....	Jan. 2–Feb. 1.	266	.....	7,182

* See narrative below.
† To March 31st.

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The above six disputes occasioned most of the lost time in the first quarter, the other 51 (including the seven old disputes from the previous quarter) having caused in the aggregate only 30,922 days of idleness or an average of but 606 days for each dispute.

Below are summarized the causes and results of the fifty new disputes of the quarter. Strikes for increase of wages as their principal object were by far the most numerous, making up one-half of the total number of disputes and accounting for two-thirds of the quarter's direct participants in disputes. Of the other causes, trade unionism alone is prominent in respect of the number of disputes in which that figured or the principal point at issue. The fact that the jacket makers' strike in New York City was instituted chiefly to compel the employers, instead of the operators, to furnish machines, accounts for the prominence of "working arrangements" in respect of the number of employees concerned.

	NUMBER OF DISPUTES.					
	WON BY—					
CAUSE OR OBJECT.	Workers.	Employers.	Compromised.	Pending or not reported.	Total.	Employees directly concerned.
Increase of wages.....	5	6	10	3	24	5,993
Reduction of wages...	.....	3	.....	.....	3	76
Reduction of hours...	.....	4	.....	.....	4	323
Trade unionism.....	8	3	.....	.....	11	816
Particular persons or classes.....	.....	3	.....	.....	3	358
Working arrangements	1	2	2	.....	5	1,349
Total disputes....	14	21	12	3	50	.....
Employees directly concerned.....	2,282	1,367	5,075	191	.....	8,915

Three small strikes against reduction of wages and four for reduction of hours were all failures and these serve to make results appear most often in favor of employers. But if numbers of employees directly interested be considered, and it be borne in mind that compromises in the case of strikes for advances in wages usually involve some increase and therefore represent some degree of success for the employees, the balance of results in the quarter's new disputes appears distinctly on the side of the workers.

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BUREAU OF MEDIATION AND ARBITRATION.

Action upon Requests for Intervention.

Since the last issue of the BULLETIN, the Bureau has received six requests for intervention in industrial disputes, as follows:

GENEVA BOILER MAKERS.

On April 10th the Bureau received a written request for intervention in a strike of boiler makers employed by the New York Central Iron Works at Geneva from the business agent of the Geneva Central Labor Union. Investigation disclosed the condition at that time to be that a strike of boiler makers in the plant of the New York Central Iron Works for an increase in wages had existed for several weeks, there being about twenty strikers directly involved. The employing corporation claimed it had succeeded in filling the places of the strikers, and, considering the strike as having terminated, refused to re-open negotiations with the organization involved; the statement was also made that a strike of the employees of the molding department, which occurred at about the same time and for the same reason, had been terminated by the abandonment of the molding department.

While the original dispute was caused by a demand for an increase in wages, it had resolved itself into a contention, by the employers, for the "open shop," and for a return to the ten-hour day in the boiler-making department, instead of the nine-hour day which had for some time obtained. The management claims to be successfully maintaining those conditions.

BUFFALO SWITCHMEN.

On April 13th a committee representing one of the locals of the Switchmen's Union of Buffalo demanded the re-instatement of a yard conductor who had been dismissed from the service of the New York, Chicago and St. Louis Ry. Co., with the alternative that all of the men employed in the yard service — that is, yard conductors and switchmen — would quit work at midnight of that day to enforce the demand. A request for intervention by the Bureau was received from the grand office of the Switchmen's Union on that same day. Through our intervention a conference was arranged between the superintendent of transporta-

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tion and the division superintendent of the employing corporation, the grand master and secretary of the national organization of switchmen, and Mr. Lundrigan representing this Bureau, at which an agreement was reached that the man in dispute be reinstated forthwith, pending a full investigation of the causes leading up to his dismissal to be held on the 15th. This had the effect of temporarily postponing the threatened strike. On the 15th the investigation was held, the result of which was the permanent re-instatement of the discharged employee and provisions for the future adjustment of the other matters in dispute.

ROCHESTER STREET RAILWAY LABORERS.

On April 17th a telegraphic request for intervention was received and responded to. The situation was found to be that about 350 laborers employed by the local street railway corporation, in the track department, had been on strike since April 11th for an increase in wages from $1.60 to $2.00 per day. The strikers were not organized when the strike occurred, but had subsequently organized themselves into a local of the laborers' union. A conference between representatives of the management and of the men on strike was arranged, which resulted in a settlement of the dispute in the form of a compromise, the rate thereafter to be $1.80 per day.

LOCKPORT FIBER WORKERS.

On April 24th, thirty-two pressmen employed by the Indurated Fiber Company of Lockport went on strike for an increase in wages from $2.00 to $2.25 per day. Four days later the rest of the employees in this plant — about two hundred in all — stopped work, which rendered the entire plant idle. The employer claims they went on strike; the employees claim they were locked out. On May 26th the intervention of the Bureau was requested by the officers of the union involved. We undertook conciliation, but found this corporation which had heretofore dealt with the union and practically maintained union establishments, had determined to establish and maintain the "open shop," and refused absolutely to treat with their former employees collectively. The employees' committee was willing to submit the matter in dispute to arbitration, but owing to the refusal of the employer to accept any proposal involving collective bargaining, nothing was accom-

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plished. At this date, May 28th, the plant and employees are practically idle.

ALBANY AND HUDSON RAILWAY EMPLOYEES.

As a result of the failure to agree to the demands for increase in wages of motormen and conductors employed on the Albany & Hudson railway, a request for intervention by the Bureau was made by a committe representing the employees on June 4th. A representative of the Bureau conferred with both parties to the dispute several times, and, when it appeared that no settlement satisfactory to both sides could be reached, recommended the submission of the question in dispute to arbitration. The representatives of the employees acquiesced in the recommendation; but before a final reply was had from the management, another conference was held directly between the parties, which resulted in the acceptance of a compromise wage rate of 28½ cents per hour, instead of 28 cents which was the existing rate since January 1, 1907, although the last schedule or working agreement provided for but 27 cents per hour, the increase to 28 cents at the beginning of the year being a voluntary advance over the then existing rate. The settlement also provided for a working agreement, covering conditions and rules of employment, mutually satisfactory.

NEWBURGH CARPENTERS.

In response to a request from some of the citizens of Newburgh, a representative of the Bureau visited that city for the purpose of attempting to effect conciliation in disputes in the building trades, and found the conditions to be that on April 8th a general strike of carpenters was inaugurated as a result of the refusal on the part of the employers to grant an increase in the wage rate from 37½ cents to 44 cents per hour. Inquiry demonstrated the fact that the building industry of the community was practically paralyzed, but that nearly all of the workpeople engaged in the strike were temporarily employed in adjacent towns or had secured permanent employment elsewhere, and that the employers so far had either not tried or at least had not succeeded in filling their places. The last proposition looking toward a settlement had been a compromise offered by the workpeople of 40 cents per hour, which had been rejected by the employers. Our efforts to effect conciliation were unsuccessful.

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Albany Coal Teamsters and Handlers.

On May 13th about 240 teamsters and coal handlers employed by the retail coal dealers of Albany went on strike for an increase in wages from $12.00 to $15.00 per week. This Bureau tried to prevent the strike before the actual stoppage of work by urging the continuation of negotiations; but while each party expressed a willingness to meet the other on the other's request, neither was willing to make advances; and the employers' committee expressed confidence that the men were satisfied and would not actually strike. After the strike had taken place, further efforts toward adjustment were made without success. After eight days' suspension of delivery, the strike was settled through a compromise, the new rate to be $13.00 per week, other conditions of the working agreement now in force to continue.

Cohoes Textile Workers (Carders).

Sometime previous to April 1st the carders' union, through their committee, presented the managements of the several textile mills situated at Cohoes, Troy, Waterford and vicinity—some sixteen in all—with a demand for an increase in wages of 25 cents per day, effective April 1st. This proposition was met by a counter proposition from the manufacturers' association—of which practically all employers affected were members—of an increase of 12½ cents per day instead of 25 cents. This was rejected by the workpeople and it was followed by another proposition from the employers that the question in dispute be submitted to arbitration. This was likewise rejected by the employees, and on April 1st a strike was inaugurated in one plant, the idea of the workpeople evidently being to adjust the matter in detail. Apparently the manufacturers took this view, or the mill affected insisted on the coöperation of the association, for on April 8th the other mills practically locked out their card-room employees, leaving the other departments in operation until they were forced to suspend for lack of carded material. This Bureau intervened in an effort to effect conciliation or arbitration, and on the 20th had brought about a proposition from the workmen that the employers grant the 12½ cents per day increase and submit the question of further increase to arbitration. This was rejected by the employers. Thus each side successively refused arbitration.

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The effect of the strike at the beginning of its fourth week was, that instead of the original three hundred carders who had struck and been locked out, there had been rendered idle between three thousand and four thousand mill operatives who were dependent upon the carding operation. At this stage we insisted that the practice of transmitting propositions back and forth without discussion or explanation should cease, and instead that there be a joint meeting of all the mill managements with the committee and officers of the workpeople and the representative of this Bureau. Such meeting was held on the 24th, and resulted in a compromise proposition from the manufacturers' association which provided for an increase of 15 cents per day to the men on strike. This was accepted by the employees on the 25th and terminated the dispute.

New York City Belt Makers.

A strike in the leather belting factory of Bonner & Barnewall commenced on March 1st and ended April 11th. Its cause was the demand of the belt makers for an increase of 15 per cent in wages. It was settled through conciliation by this Bureau on April 11th, by the firm granting an increase of $1.00 per week to each of its employees that had not received a similar increase on January 1, 1907. It was agreed that all the men were to return to work in the places they had prior to the strike, and that there should be no discrimination.

On May 17th complaint was received from the officers of the National Association of Leather Belt Makers, that the president of the local union had been discharged by Bonner & Barnewall, which they considered a violation of the said agreement. That matter was taken up, with the result that the discharged employee was re-instated on May 20th.

New York City Cloak and Jacket Makers.

A strike in the cloak factory of A. Beller & Co. was precipitated December 29, 1906, by an order to change the luncheon hour from 12–1 P. M. to 1–2 o'clock. Efforts at conciliation were made by the Bureau, and in the first instance the employers agreed to take all of the striking employees back, at the same time restoring the lunch hour to the original period. Controversy then arose over the proposal that all the employees should return to

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work collectively, the employers maintaining that they must resume work in the order of sequence of service or operation. The outcome of this was a renewal of the strike, during which considerable bad feeling was manifested. Several of the strikers were arrested for violence, and the matter finally wound up in the courts, the employers securing an injunction restraining certain parties mentioned in the decisions, which virtually meant the union and its officers, from interfering with their employees. The ultimate outcome of the whole trouble was, that while most of the original employees returned to work, they did so unconditionally and as individuals — not as an organized or collective body. The strike terminated February 15, 1907.

A strike for recognition of the union occurred in the cloak and suit establishment of Israel Alper on January 3rd and ended February 1st. Settlement was effected through conciliation by the Bureau on terms satisfactory to all parties to the dispute, which were not made public.

On the 22d of March, 1,200 union operators on children's cloaks and reefers stopped work in eleven establishments to compel the acceptance of a new trade agreement, which included a provision that sewing machines should be furnished thereafter by the employers instead of the employees. The Bureau of Mediation made several ineffectual efforts to settle the dispute, which however continued to May 25th, when the employers agreed to the union's demands including a reduction of hours from 59 to 56½ a week, and an increase of wages (estimated by the union at one dollar a week) as well as the furnishing of machines by the employers. The union reports that its members lost $126,000 in wages, that $8,000 were expended in strike benefits, etc., and $5,000 for incidentals, including legal expenses incurred in the defense of 75 members arrested for interfering with men employed by the manufacturers' association. The manufacturers report a loss of $40,000.

New York City (Queens) Enameled Ware Makers.

A strike took place in the factory of the Lalance & Grosjean Manufacturing Company at Woodhaven, Queens Borough, May 13–23 to obtain an increase of $1.00 a week in the wages of girls

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employed in the dipping or japanning room (200 dippers and 75 wipers). The tinsmiths, spoon hands and those in the galvanizing room — 235 in number — went out in sympathy with the strikers, but remained out less than a day. No formal demand for increase had been made previous to the strike.

On the 14th of May the Bureau brought about a conference between the management and a committee of the strikers, together with our representative, when formal demands were made for increase noted above, together with complaint of harsh treatment of female employees by a certain foreman. After several conferences the striking employees (girls) returned to work May 23rd at the old rate of wages with the understanding that an adjustment would be made as soon as practicable, and that the matter of harsh treatment would be investigated and, if founded on fact, stopped. The firm offered to place the girls on piece work so that each girl would be paid in proportion to the work she turned out. This was rejected.

The strikers lost about $2,000 in wages, and as they did not belong to a union there were no strike benefits paid.

New York City (Richmond) Freight Handlers.

On January 8th a committee representing the freight handlers employed by the Staten Island Railroad Company at St. George made a demand on the corporation for an increase in wages from 18½ cents to 20½ cents per hour. The men were working on an average of ten hours per day, the existing rate being $1.85 per day, and this increase would bring the rate up to $2.05 per day. The demand was refused, and on January 9th about 100 of their number went on strike. Mediation by the Bureau was unsuccessful, the employing corporation the next day succeeding in filling the places of the men on strike. The men engaged in this dispute were not organized.

New York City Longshoremen.

The dispute commenced among the unorganized men connected with the Ward and Mallory Lines. On April 29th the men on the Ward line — some 500 in number — went on strike, demanding 35 cents an hour for day work and 40 cents for night work and overtime, instead of the existing flat rate of 25 cents per hour.

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On the 29th, 1,000 men connected with the Ward line in Brooklyn went on strike to find out the conditions of the strike in Manhattan, and soon thereafter endorsed them, and about 1,500 men demanded the above stated increase. Several conferences were arranged between the men and the superintendent of the Ward line, and a settlement was reached on May 10th which granted 30 cents an hour to the longshoremen and 35 cents to the coal passers.

On April 29th, 500 unorganized longshoremen employed by the Mallory line went on strike, demanding an increase from 25 cents an hour to 30 cents for day work and 45 cents for night work. The strikers had no place of meeting and were not permitted to go on the company's docks. On our request the employing corporation permitted the strikers to meet on the pier for the purpose of conference, when they stated their demands to be as above. Several conferences were arranged for and held between the committee representing the strikers and the management, with the ultimate result that the strike was settled on May 7th, the men receiving 30 cents an hour for day time and 35 cents for night, overtime and Sundays, as against the former flat rate of 25 cents an hour.

On May 3d the longshoremen employed by the Southern Pacific Company struck. They demanded 35 cents an hour for day time and 50 cents for overtime. This strike was ended on May 5th, the men receiving 30 cents an hour for day work and 40 cents for overtime, instead of the then rate of 25 cents flat. The longshoremen connected with this dispute were not identified with the organization involved in the general strike.

The more general strike of the unorganized longshoremen commenced in New York City on May 6th, when, according to the local president of the striking longshoremen, there were some 8,000 men on strike in Manhattan and 4,000 in Brooklyn. Of the 8,000 in Manhattan, he claims that 3,000 belong to the organization, and in Brooklyn, 1,500. At 7 o'clock on the morning of May 6th, the men at the White Star Line went on strike, 500 being affected. In this case the demands were 40 cents per hour for day work, 60 cents per hour for night, Sunday and holiday work. At 11 o'clock on the morning of May 6th, Mr. Patrick Connors, presi-

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dent of the organization involved in the strike, accompanied by a delegation from the longshoremen's union, made a request for an increase in wages as above. The management asked for time to consider, and was told it would have to be settled by 1 o'clock that afternoon or all the men under the control of Mr. Connors would be ordered on strike. The management contended that it would be impossible to adjust such a matter in the time given, and could not promise to do so. This was evidently construed to be a refusal to grant the demands, and the men employed by some 25 steamship companies in New York City were then ordered on strike.

Up to date we have received the following returns from steamship companies in New York:

	Number employed.	Number on strike.
Cunard Line	200	80
Atlantic Transport Company	400	400
Red Star Line	200	200
American Line	200	200
Southern Pacific S. S. Company	1,500	1,500
White Star Line	500	500
Wilson Line	176	176

Mr. Emil Boas, general agent of the Hamburg line, was acting for a time as president of the conference, having the interests of the steamship companies in charge in New York City. So far, no returns have been received from them. Returns as above given were obtained by visiting the various steamship companies' offices.

The longshoremen in Brooklyn who went on strike on May 1st were principally those connected with the work at the Bush Docks at South Brooklyn. They demanded 40 cents an hour for day work and 60 cents for overtime. On the same date, May 1st, some 600 stevedores connected with the Bush Docks also went on strike. They made no demands whatever — simply quit work. They have not been replaced up to the present time.

The Bureau made several efforts to effect conciliation in the various subdivisions of this strike, but except as hereinbefore stated, the general attitude of the employing corporations was a positive refusal to recognize Mr. Connors or the organization he represented or to arbitrate the dispute in question, on the ground that it was impossible for them to do otherwise than refuse the

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advanced rate demanded, as the business would not warrant the increase requested.

The dispute lasted until June 13th, when it was ended at a conference between the steamship managers and the delegates of the union, arranged by the Industrial Mediator. No change in wages or hours was made but the managers agreed to take back all the men they could. The terms were accepted at a meeting of the union the same evening and the next day about 10,000 men returned to work.

New York City Masters, Mates and Pilots.

Sometime previous to May 1st, Harbor No. 1 of Masters, Mates and Pilots' Association presented to the management of the several coastwise steamboat lines having a terminal at New York City a demand for a uniform rate of wages for first, second and third officers, rated as follows: First officer, $100; second, $80; third, $60 per month. The change meant an increase in wages of from 5 per cent to 35 per cent. The manner of presenting this demand was unusual, being through the secretary of the officers' organization, who had been given what was practically a power of attorney to act for them. As this demand was ignored, the same officer, Mr. Luther B. Dow, filed with the several employers the individual resignation of each officer who was a member of the Masters, Mates and Pilots' Organization, which meant practically all of them — about 300 in number — such resignations to take effect May 1st or as soon thereafter as vessels which might on that date be at sea, should reach the home port. Owing to the character of this service this Bureau made particularly diligent and determined efforts to prevent an interruption of operation, which were partially successful, resulting in a proposition from the Consolidated Steamboat, the Southern Pacific, and Clyde Lines, which provided for a graduated scale of wages, based on the size and capacity of ships; and it was understood that the basis of settlement agreed upon by the foregoing lines would probably be accepted and adopted by practically all lines affected. This proposition formed a basis for discussion and resulted in a settlement without a strike, through negotiations directly between the parties, on the graduated scale basis. Final settlement was

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effected May 3d through agreements between the several managements affected and the Masters, Mates and Pilots' Organization, providing for the original rate asked for — $100, $80, and $60 per month for first, second and third officers of first-class ships; $90 and $70 per month for first and second officers of second-class ships, and $85 and $65 for first and second officers of third-class ships. (Second and third-class ships do not carry third officers.) The total monthly increase for the 295 men amounted to $5,962.50.

An arbitration committee consisting of Mr. Andrew Fletcher and Mr. Charles English for the steamboat lines, Captain Cowan and Luther B. Dow, Secretary of Harbor No. 1, for the employees, was appointed to properly classify the ships, which has since been successfully accomplished.

This dispute caused little, if any, interruption in this industry, as it was patent that a settlement was being effected when the date fixed for the resignation of the employees had arrived.

The agreement follows:

Agreement Between Consolidated Steamship Lines and American Association of Masters, Mates and Pilots.

NEW YORK, N. Y., *May* 2, 1907.

The following rate of wages to be paid to the officers of the various steamships of the Consolidated Steamship Lines, the same to take effect when signing articles on or after May 1, 1907.

Clyde Line, temporary classification, 8 ships 1st class, subject to decision of arbitrators as hereinafter provided.

First officer,	$100.00 per month		First class
Second "	80.00 " "		
First officer,	90.00 " "		Second class
Second "	70.00 " "		

Ward Line, temporary classifications, 9 ships 1st class, subject to decision of arbitrators as hereinafter provided.

First officer,	$100.00 per month	First class
Second "	80.00 " "	
Third "	60.00 " "	
First officer,	90.00 " "	Second class
Second "	70.00 " "	

Porto Rico Line.

First officer,	$100.00 " "	First class
Second "	80.00 " "	
Third "	60.00 " "	
First officer,	90.00 " "	Second class
Second "	70.00 " "	

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Mallory Line.			
First officer,	$100.00 " "		
Second "	80.00 " "		First class
Third "	60.00 " "		
Metropolitan Line.			
First officer,	$100.00 " "		
Second "	80.00 " "		First class.

Provided, a Board of Arbitration shall be selected to discuss the classification of the various steamships as follows:

Two members of the Board to be selected from the American Association of Masters, Mates and Pilots.

Two members of the Board to be selected by Consolidated Steamship Lines.

And a fifth member to be selected to the Board by the four members of the Board, if necessary.

The duties of this Board of Arbitration, to discuss three classes, and to place each vessel in a proper class.

In the event of this Board agreeing upon a third class to rate, to wit:

First officer, $85 per month; second officer, $65.

Upon this Board agreeing and reporting the findings, all officers to be rated at once according to the class to which the vessel has been paced.

Further provided, it is mutually agreed that the relations between the officers and the owners shall not be affected by the conferences and agreement reached.

LUTHER B. DOW, *General Counsel.*
CALVIN AUSTIN, *President.*

New York City Painters and Decorators.

The only important dispute existing in the building trades of the metropolitan district this spring might be termed a continuation or renewal of the painters' and decorators' strike of last year, which was caused by a demand for an increase in wages. At the time of the strike last year, the painters' union was represented in the arbitration plan of the Building Trades Association, and the question in dispute was finally referred to Charles Stewart Smith as umpire. His decision (see BULLETIN, June, 1906, pages 184–6) was adverse to the workmen — in fact, would cause a considerable reduction in wages in some departments of the trade. By referendum vote of the members, the union refused to accept his decision, and since that time was understood to be outside the pale of the general arbitration plan of the building trades.

The contention and rivalry heretofore existing between the Brotherhood of Painters, which conducted the strike last year, and the former rival organization known as the National Alliance of

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Painters, seems to be eliminated in the present dispute and the strike is being conducted jointly by the two organizations. The contention is practically the same as last year — for an increase in wages in the Boroughs of Manhattan and Bronx of from $3.50 to $4 00 per day for painters, and from $4.00 to $4.50 per day for decorators; in the Boroughs of Richmond, Queens, and Kings from $3.00 to $3.50 for painters, and from $3.50 to $4.00 for decorators.

Another unusual feature of the present dispute is, that while the American Federation of Labor and the Central Federated Union of New York City sanctioned and approved demands for the increase, there has been no sympathetic strike, owing to the participation of the other building trades unions in the general arbitration plan of the Building Trades Association. Several conferences between the workmen and employers were held, without effecting a general settlement, and a general strike began April 1st, involving about one-half of the 12,000 painters and decorators in Greater New York, the balance being employed by individuals or corporations who had previously signed the new wage scale. The union reports indicate that up to June 11th about 200 employing painters signed this agreement, and that nearly all employing painters were paying the advanced scale, as there were less than 400 painters idle in the metropolitan district on this date on account of the strike. Indications now are that the advance asked for has been generally adopted as the rate without any formal settlement by employers and employees collectively.

A copy of the agreement between the two national organizations, which includes the new wage schedule, follows:

Agreement entered into this day between representatives of the National Alliance of Painters and the Brotherhood of Painters, Decorators and Paper Hangers.

That at the expiration of this agreement the National Alliance shall become members of the Brotherhood of Painters and the question of how many locals there shall be, shall be submitted to a referendum vote.

This agreement entered into to be submitted to both organizations for a referendum vote.

This agreement to last for the term of one year after approval by both organizations. That a joint Conference Board shall be formed of five from each organization who shall have charge of all matters pertaining to the trade and refer all violations of working and trade rules to the respective

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Unions for discipline, and the findings of the said Unions must be reported to the Conference Board.

That the initiation fee within the limits of Greater New York be the sum of twenty-five ($25.00) dollars in both organizations.

That the dues be at least fifty cents per month in both organizations.

That the names of all applicants for admission in either organization, under this agreement, must be submitted to the Conference Board before being initiated.

Under this agreement no member of one organization can carry a working card or be a member of the other organization.

Members of both organizations must recognize the business agents of both organizations and show their card upon demand.

That no general strike shall be declared without the consent of both organizations.

That both organizations enforce the arbitration decision, relating to the painting of structural iron.

That both organizations agree to recognize each other's working cards, and members of National Alliance working out of town must apply to Conference Board for a Brotherhood working card.

That both Unions remain in their respective central bodies, and agree to work in the interest of the trade.

We agree upon the following wage scale:

For the Boroughs of Manhattan and the Bronx:		
Plain painting and varnishing	$4.00	per day.
Decorating and gilding	4.50	" "
For Kings, Queens, and Richmond Boroughs:		
Plain painting and varnishing	3.50	" "
Decorating and gilding	4.00	" "
Paper hanging as per price list.		
Marine — Plain painting and varnishing	3.50	" "
Gilding	4.00	" "
Ship bottom work and buoy tops	.40	" hour.

All Sundays and legal holidays, double time (seven hours to constitute a day's work on Sundays, and all legal holidays). All other over-time shall be considered double time.

No work to be performed between the hours of 12 and 5 P. M. Saturdays. Under no consideration shall any work be performed upon Labor Day.

We, the undersigned representatives of the Brotherhood of Painters and National Alliance Painters, hereby subscribe our names the 13th day of February, 1907, to the above agreement.

For Alliance:	For Brotherhood:
VICTOR BUHR,	CHARLES M. EMES,
THOS. WRIGHT,	L. J. BROWN,
ABEL BALDWIN,	THOS. J. LOWERY,
CHAS. RAUSCH,	JOHN J. COLLINS,
THOS. DWYER,	CHAS. KNOCHE,
WM. E. HAYWARD,	ARTHUR BROOKS,

J. C. BAHLHORN, *General President.*

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This Agreement to go into effect not later than March 1, 1907.

Approved by the Conference in New York of delegates from the Central Federated Union and three members of the Executive Council of the American Federation of Labor.

American Federation of Labor:
JAMES DUNCAN, *Chairman*,
JAMES O'CONNELL,
FRANK MORRISON, *Secretary*.

Central Federated Union of New York:
DANIEL HARRIS,
CHARLES DELANEY,
GEORGE GAILLARD.

The form of agreement presented to employers in the Boroughs of Manhattan and the Bronx contains additional provisions, as follows:

Paper hanging as per price list.

Also eight hours shall constitute a day's work from 8 A. M. to 12 M. and and from 1 P. M. to 5 P. M. and all days except Saturday when four hours only shall be worked from 8 A. M. to 12 M.

That all employees shall be members in good standing in one of the above named organizations.

That no work will be subcontracted to employees.

That all employees shall be paid weekly.

That all employees working out of town shall be paid traveling expenses and board; traveling time to be considered as single time.

That all work performed before 8 A. M. or after 5 P. M. shall be considered as double time.

Employers doing work in any locality where the rate of wages is higher than the rate prevailing where place of business is situated agrees to pay the higher rate.

That the representatives of the above named organizations have the privilege of examining members' cards at any and all time.

The Association of Interior Decorators and Cabinet Makers, embracing twenty important concerns, accepted the advanced rates on May 18th, in the following agreement, which, it will be noticed, provides a special rate for varnishers employed in factories.

TIFFANY STUDIOS.

(347–355 Madison avenue, New York City.)

May 18, 1907.

Joint Conference Board of the Painters of Greater New York:

GENTLEMEN.— I beg to acknowledge your acceptance of May 17, 1907, of the proposition tendered by the Association of Interior Decorators and Cabinet Makers, regarding the wage scale for decorators, painters, and paper-hangers.

It is our understanding, as stated in your acceptance, that the wages for decorating and gilding shall be four dollars and fifty cents ($4.50) per day; paper-hanging, as per price list. And that the wages for plain painting and varnishing shall be four dollars ($4) per day, except on trim and furniture

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manufactured by members of our Association in their factories, in which case the wages of varnishing shall be three dollars and fifty cents ($3.50) per day. All other clauses in the proposition you recently submitted to remain in full force.

Yours very truly,
BOND THOMAS,
Chairman Executive Committee.

New York City Silk Weavers.

March 12th, 65 silk weavers employed at the Catoir silk mills struck for a 15 per cent advance in wages. Representatives of the Bureau conferred with both parties to the dispute and arranged for a joint conference on March 14th between them, which resulted in a compromise agreement, giving an increase of wages to piece workers of 7½ per cent, time workers to be paid $12.00 per week. It was also agreed that two of the men who had taken the strikers' places were to be discharged before the men returned to work. The strikers lost about $400 in wages. No benefits were paid, as there was no regular labor organization, but simply a shop society. A vote of thanks was given by the employees to the State Board of Mediation and Arbitration for their assistance in adjusting the dispute.

New York City (Brooklyn) Sugar Refinery Employees.

On May 6th about 1,100 employees of the Brooklyn plant of Havermeyer & Company, sugar refiners, went on strike for an increase in wages. About half of the strikers were "mixers" and half laborers whose compensation had been 14½ cents and 15 cents per hour respectively, instead of which they demanded a uniform rate of 18 cents per hour. The strikers were unorganized and had had no negotiations with the management until the date of the strike. On our intervention we found the management unwilling to deal with or negotiate with the strikers; on May 11th we succeeded in bringing about a conference between the management and a committee of the strikers, together with officers of the Bureau, which resulted in a compromise proposition by the management of a uniform rate of 16½ cents per hour. This was accepted at a general meeting of the striking workmen the following day, and terminated the dispute.

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New York City Vaudeville Actors.

This strike commenced January 2d; ended February 2d. The theater managers against whom the members of the Hebrew Variety Actors Union No. 5 struck were: H. Levy, Baum Bros., S. Agids, Mr. Lewis, Mr. Fleegid, and Mr. Rubenstein. They contended that the union wanted to force them to take on more men than they had room for, while the actors claimed they were fighting for recognition of the stage carpenters' union. Approximately three hundred employees were directly involved in this strike. The theaters affected were practically closed during the entire month, from January 2d to February 2d, except that the managers made an unsuccessful attempt to run them with moving picture shows. Settlement was finally accomplished by the managers meeting agents of the union on February 1st and signing an agreement mutually satisfactory, to run for five months.

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DECISIONS OF NEW YORK COURTS.

Unconstitutionality of Statute Forbidding the Employment of Women in Factories at Night.

The decision of the Appellate Division, First Department, in People v. Williams (116 App. Div. 379; also in BULLETIN, Dec., 1906, p. 478), which declared so much of section 77 of the Labor Law as provides that no female shall be employed or permitted to work in a factory before 6 A. M. or after 9 P. M. to be unconstitutional and void, has been affirmed by the Court of Appeals in a decision handed down June 14th.

It is to be noted that the court expressly limits its decision to the clause before it, namely, so much of the statute as prohibits work by females before 6 A. M. and after 9 P. M., and is no authority against the constitutionality of that part of the statute which limits the number of hours of work per day and per week. Moreover the court held that the provision before it was void because it interferes with the liberty of *adult* females; but chapter 507, Laws of 1907, which will take effect October 1st, will amend that provision to divide the females affected by it into two separable classes, female minors under 21 and adult females, and the decision of the Court of Appeals will apply only to the provision relating to the adults. Consequently the Department of Labor will hold that section 77 of the Labor Law as it will be amended by chapter 507, Laws of 1907, will contain constitutional and enforcible provisions prohibiting (1) the employment of females of whatever age in factories more than six days or sixty hours a week, or with certain exceptions more than ten hours a day; (2) the employment of females under 21 years of age before 6 A. M. or after 9 P. M. in any day; and that only so much of the section will be void and unenforcible as prohibits the employment of females over 21 before 6 A. M. and after 9 P. M. Until the amendment takes effect, October 1st, section 77 effectively prohibits the employment of all females more than 60 hours a week or, with certain exceptions, more than 10 hours a day, and of female minors under 18 before 6 A. M. and after 9 P. M., but is ineffective and void so far as it in terms prohibits

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the employment of females (over 18) before 6 A. M. and after 9 P. M. The Department will enforce the law accordingly.

The Attorney-General in his argument upholding the validity of the night-work prohibition said, in part:

"What, then, was the purpose of this act? The Legislature had in view two objects when the act in question was passed. First, it desired to protect the health of females by preventing their confinement, by reason of employment, for more than ten hours in any one day, and second, it desired to protect their health and guard their morals by preventing night work. It is for the welfare of the State to care properly for the health of its women, and the strongest proof of this is to be found in the fact that nearly every State in the Union has seen fit to legislate in some manner on this subject. The universal experience of laborers is that night work is detrimental to health. Night is the natural time for rest, and rest procured during the day is usually broken and unsatisfactory in its character. If this is true as to men, with how much greater force it applies to women, who by nature are more weakly constituted, less able to endure hardship, and endowed with a highly sensitive organization. Can it be that the Legislature, recognizing in this class of labor a great public danger, is unable to deal with it? More than five million females are engaged in labor in this country and 68.4 per cent of the women employed are employed in the New England and Middle Atlantic States; 67.6 per cent of all women employed are 21 years and upward, and 10 per cent of all women employed in manufacturing are married. (Wright, Industrial Evolution of the United States, p. 212; Labor Problems, Adams and Sumner, pp. 44, 52.)

"If it is true that this great portion of the community are without the protection of the police power of the State, then the Constitution adopted by the people to secure their rights has become, by interpretation, the instrument which defeats them. Viewed from a moral standpoint, night work for women is dangerous in the extreme. The married woman is compelled to assume a double burden. To the labor of the night is added the cares of her household during the day. Her children are neglected at the time when her watchful solicitude is most needed, and when her influences and training should supplement the day at school. Young girls are sent upon the street in the late hours of the night with the companions of their labor and opportunities for evil are multiplied."

OPINION OF THE COURT.

The People of the State of New York, Appellant, v. David L. Williams, Respondent.

Decided June 14, 1907.

GRAY, J. The defendant was arrested and convicted upon the charge of having violated the provisions of section 3841 of the Penal Code. This section makes it a misdemeanor on the part of any person not complying with the provisions of article 6 of the Labor Law relating to factories. The provision of the Labor Law now in question is contained in section 77; which is entitled: "Hours of labor of minors and women" and reads that "No minor under the age of eighteen years, and no female shall be employed, permitted

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or suffered to work in any factory in this state before six o'clock in the morning, or after nine o'clock in the evening of any day; or for more than ten hours in any one day except to make a shorter work day on the last day of the week; or for more than sixty hours in any one week, or more hours in any one week than will make an average of ten hours per day for the whole number of days so worked." (L. 1903, ch. 184, sec. 2.) The information and the proof were that a female, named Katie Mead, over twenty-one years of age, was found by the factory inspector at work in a book binding establishment, in the city of New York, at twenty minutes after ten o'clock in the evening. There was no complaint with respect to the character, or construction, of the building and the defendant's guilt was rested, solely, upon his failure to observe the provision of the statute against a female being at work after nine o'clock in the evening. If the inhibition against employing a female in any factory after that hour was a valid act of legislation, then the defendant came within its operation and he was amenable to punishment. After the defendant had been found guilty, the trial court granted his motion in arrest of judgment and discharged him; holding that the legislative enactment was unconstitutional. The justices of the Appellate Division, in the first department, by a divided vote, have affirmed the order of the trial court.

In my judgment, the determination below was correct. I think that the Legislature, in preventing the employment of an adult woman in a factory, and in prohibiting her to work therein, before six o'clock in the morning, or after nine o'clock in the evening, has overstepped the limits set by the Constitution of the state to the exercise of the power to interfere with the rights of citizens. The fundamental law of the state, as embodied in its Constitution, provides that "no person shall * * * be deprived of life, liberty or property without due process of law." (Art. 1, sec. 6.) The provisions of the State and of the Federal Constitutions protect every citizen in the right to pursue any lawful employment in a lawful manner. He enjoys the utmost freedom to follow his chosen pursuit and any arbitrary distinction against, or deprivation of, that freedom by the Legislature is an invasion of the constitutional guaranty. Under our laws men and women now stand alike in their constitutional rights and there is no warrant for making any discrimination between them with respect to the liberty of person, or of contract. It is claimed, however, in this case, that the enactment in question can be justified as an exercise of the police power of the state; having for its purpose the general welfare of the state in a measure for the preservation of the health of the female citizens. It is to be observed that it is not a regulation of the number of hours of labor for working women; the enactment goes far beyond this. It attempts to take away the right of a woman to labor before six o'clock in the morning, or after nine o'clock in the evening, without any reference to other considerations. In providing that "no female shall be employed, permitted, or suffered to work in any factory in this state before six o'clock in the morning, or after nine o'clock in the evening of any day," she is prevented, however willing, from engaging herself in a lawful employment during the specified periods of the twenty-four hours. Except as to women under 21 years of age, this was the first attempt on the part of the state to restrict their liberty of person, or their freedom of contract, in the pursuit of a vocation. I find nothing in the language of the section which suggests the purpose of promoting health, except as it might

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be inferred that for a woman to work during the forbidden hours of night would be unhealthful. If the inhibition of the section in question had been framed to prevent the ten hours of work from being performed at night, or to prolong them beyond nine o'clock in the evening, it might, more readily, be appreciated that the health of women was the matter of legislative concern. That is not the effect, nor the sense, of the provision of the section with which, alone, we are dealing. It was not the case upon which this defendant was convicted. If this enactment is to be sustained, then an adult woman, although a citizen and entitled as such to all the rights of citizenship under our laws, may not be employed, nor contract to work, in any factory for any period of time, no matter how short, if it is within the prohibited hours; and this, too, without any regard to the healthfulness of the employment. It is clear, as it seems to me, that this legislation can not, and should not, be upheld as a proper exercise of the police power. It is, certainly, discriminative against female citizens, in denying to them equal rights with men in the same pursuit. The courts have gone very far in upholding legislative enactments, framed clearly for the welfare, comfort and health of the community, and that a wide range in the exercise of the police power of the state should be conceded, I do not deny; but, when it is sought under the guise of a labor law, arbitrarily, as here, to prevent an adult female citizen from working at any time of the day that suits her, I think it is time to call a halt. It arbitrarily deprives citizens of their right to contract with each other. The tendency of legislatures, in the form of regulatory measures, to interfere with the lawful pursuits of citizens is becoming a marked one in this country, and it behooves the courts, firmly and fearlessly, to interpose the barriers of their judgments, when invoked to protect against legislative acts, plainly, transcending the powers conferred by the Constitution upon the legislative body.

In this section of the Labor Law, it will be observed that women are classed with minors under the age of eighteen years; for which there is no reason. The right of the state, as *parens patriae*, to restrict, or to regulate, the labor and employment of children is unquestionable; but an adult female is not to be regarded as a ward of the state, or in any other light than the man is regarded, when the question relates to the business pursuit or calling. She is no more a ward of the state than is the man. She is entitled to enjoy, unmolested, her liberty of person, and her freedom to work for whom she pleases, where she pleases and as long as she pleases, within the general limits operative on all persons alike, and shall we say that this is valid legislation, which closes the doors of a factory to her before and after certain hours? I think not. Without extended reference to the cases bearing upon the much discussed subject of the exercise of the police power, I need only refer to the recent case of *Lochner* v. *State of New York* (198 U. S. 145); where the Supreme Court of the United States had before it a case arising in this state under a provision of the Labor Law, which restricted the hours of labor for the employees of bakers. The argument there was, and it had prevailed in this court, that the legislation was valid as a health law under the police power; but the Federal Supreme Court refused to recognize the force of the argument and held, if such legislation could be justified, that constitutional protection against interference with the liberty of person and the freedom of contract was a visionary thing. It was held that bakers

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"are in no sense wards of the state. Viewed in the light of a pure labor law, with no reference whatever to the question of health, * * * the law * * * involves neither the safety, the morals nor the welfare of the public, and the interest of the public is not in the slightest degree affected by such an act." It was, also, observed that "there must be more than the mere fact of the possible existence of some small amount of unhealthiness to warrant legislative interference with liberty."

So I think, in this case, that we should say, as an adult female is in no sense a ward of the state, that she is not to be made the special object of the exercise of the paternal power of the state and that the restriction, here imposed upon her privilege to labor, violates the constitutional guarantees. In the gradual course of legislation upon the rights of a woman, in this state, she has come to possess all of the responsibilities of the man and she is entitled to be placed upon an equality of rights with the man.

It might be observed that working in a factory in the night hours is not the only situation of menace to the working woman; but such occupation is, arbitrarily, debarred her.

For these reasons, I advise that the order appealed from should be affirmed.

CULLEN, Ch. J., EDWARD T. BARTLETT, HAIGHT, VANN, WILLARD BARTLETT and HISCOCK, JJ., concur.

Order affirmed.

Union Label Law Construed.

Lynch v. John Single Paper Co., 115 *App. Div.* 911.

The defendant company, which does a printing business in Syracuse, had entered into an agreement with the Allied Printing Trades Council of that city whereby in consideration of employing no skilled workmen except such as were members of the local unions affiliated with the Council, it obtained the use of the label registered by the International Typographical Union under sections 15 and 16 of the Labor Law. In 1903 the Council terminated the agreement, on the ground that the company was employing press-feeders who did not belong to the Assistant Pressmen's and Feeders' Union, and subsequently brought action, under section 16 of the law, to restrain the company from using its label and to collect $5,000 damages for the unauthorized use of such label. The company demurred to the complaint on the ground that the Allied Printing Trades Council had no legal right to the label registered by the International Typographical Union, as the certificate of registration issued by the Secretary of State is not assignable under the terms of the law (section 15).

The defendant's demurrer was overruled and the injunction granted in June, 1906, and at the November Special Term of the Appellate Division of the Supreme Court, Fourth Department,

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the judgment was affirmed by a divided court. Justice Andrews, in the prevailing opinion says, in part,

"It appears from the complaint that the International Typographical Union is an association of employees, having affiliated with it and subject to its jurisdiction various printing trades councils. One of these, the Allied Printing Trades Council, is a subordinate body of and affiliated with and subject to the general control and direction of the International Typographical Union. In 1896 the International Typographical Union adopted and registered a certain label 'for the purpose of designating the products of the labor of the members of the various bodies affiliated with it and under its general jurisdiction and control,' and for that purpose it has 'furnished and transmitted' the same 'to the local unions or subordinate bodies of said International Typographical Union.' It may fairly be inferred, therefore, that the various trades councils are local branches of the International Typographical Union. Their members are its members, and when it adopted a label for the purpose of designating the products of the labor of such members it may fairly be said in the language of the statute to have adopted it for the purpose of designating the products of its members. It next appears that the International Typographical Union has conferred upon the Allied Printing Trades Council of Syracuse the exclusive right to use and control this label in that city. The statute has conferred a property right in such a label even if its originator did not already possess it. This right could be sold or assigned unless these acts were prohibited. Fairly construed, the statute does mean to prohibit such an assignment. Not, however, a license conferred by the union or association upon some of its members or legal branches to use the label in a specified locality. Next it is stated that the defendant has without authority used this label and intends to continue such use to its profit and the damage of the plaintiffs, and judgment for an injunction and damages is, therefore, asked. It is claimed that under the statute only the union or association filing the label may maintain an action to prevent its unjustifiable use, and that, therefore, no cause of action is stated by the Allied Printing Trades Council. Probably such an action might be maintained independently of the statute (*Strasser* v. *Moonelis*, 23 J. & S. 197), but in any event the construction claimed is too narrow. The language is not exclusive. To so hold would, in such an action as the present where the presence of both plaintiffs is necessary to a complete determination of the questions involved, be a denial of justice. What the Legislature meant, and all that it meant, was that the parties injured might maintain such an action. The demurrer must, therefore, be overruled upon the usual terms."

Justice Nash, in a dissenting opinion concurred in by Justice Williams, held that the complaint did not bring the case within the provisions of the statute, since it did not allege that the International Typographical Union adopted a label "for the purpose of designating the products of the labor of its members" but only "for the purpose of designating the products of the labor of the members *of the various bodies affiliated with it,*" and such

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bodies, in the opinion of the Justice, might or might not be unions or associations of employees as required by the statute.

"It is not alleged," writes Justice Nash, "that the Allied Printing Trades Council of the city of Syracuse is a union or association of employees. It is only a union or association of employees which, under the statute, may adopt a label and avail itself of the rights and privileges provided by the statute. It is alleged in the complaint that the Allied Printing Trades Council of the city of Syracuse, under agreement with the International Typographical Union prior to and subsequent to the date of registry of said label, has been continuously entitled to the exclusive right, use and control of said label within the city of Syracuse. It is expressly provided that a certificate shall not be assignable by the union or association to whom it is issued. It is plainly the purpose of the statute to give to each union or association the right to the exclusive use of a label, and to protect every union or association in such use. To entitle a union or association to the rights and privileges of the statute, the union or association must bring its case strictly within its provisions."

Employers' Liability.

[Under this heading are recorded all decisions of court of records under the Employers' Liability Law of 1902 or the General Labor Law; also decisions under the common law handed down by the Court of Appeals, or by the Appellate Divisions of the Supreme Court when final. Other decisions under the common law are not reported here unless special circumstances make them of unusual interest.]

An electrician was engaged in installing a telephone system on the defendant's elevated railway. At times it was necessary for the intestate to work upon the tracks, and to guard against danger at such times the defendant employed a flagman to warn approaching trains. At the time of the accident, however, the intestate, carrying a heavy pulley block, was walking upon a sidewalk along the track which had a clearance of three feet three inches beyond passing trains. As no workmen were upon the track the flagman did not signal an approaching train, which, upon reaching the intestate, struck the pulley he was carrying, thereby causing his death. The motorman saw the plaintiff, but did not slacken speed.

A summons and complaint in a common-law action for negligence was served within the time prescribed for notice. The common-law action was discontinued, however, and one under the Employers' Liability Act begun. A verdict of $2,000 was obtained but was set aside by the First Appellate Division on the ground that the plaintiff did not show that his intestate was free

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from contributory negligence, as the injury was caused by his walking too near the track and that service of a common-law complaint is not sufficient notice under the Employers' Liability Act. On this latter point Justice Houghton writing the prevailing opinion says: "Our conclusion is that the service of the complaint alleging common-law negligence only, was ineffectual as a notice and that in order to entitle an employee, or his representatives in case of death, to recover under the Employers' Liability Act, a notice setting forth the facts required by the statute and showing an intention to make a claim for damages under the provisions of the act, must be served within the prescribed time." — *Chisholm* v. *Manhattan Railway Co.*, 116 *App. Div.* 320.

II. An employee injured by the fall of an elevator served notice of the time, place, and cause of the injury in accordance with the provisions of the Employers' Liability Act. There being no common-law cause of action, plaintiff elected to proceed under the act and the jury returned a verdict in his favor which was unanimously upheld by the Second Appellate Division. Defendant again appealed the case arguing that the complaint failed to state facts sufficient to constitute a cause of action under the Employers' Liability Act. The Court of Appeals, however, unanimously affirmed the preceding judgments, April 2, 1907, holding that "it is not necessary, in order to plead a cause of action under the Employers' Liability Act, that its precise language should be made use of; provided that it appear plainly from what is alleged that the cause of action was within the provisions of the act and that its requirement of the giving of a notice to the defendant has been complied with." — *Harris* v. *Baltimore Machine and El. Works*, 188 *N. Y. Rep.* 141.

In an action to recover for negligence the plaintiff appeals from an order of the Supreme Court given at the Kings County Special Term, that he amend his complaint by separately stating his common-law action and his action under the Employers' Liability Act. In reversing this order the Second Appellate Division holds that "the plaintiff only claims to have a single cause of action; it is based upon the negligence of the defendants, and he has specified several different propositions as to which the defendants are alleged to have been negligent, some of these con-

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stituting actionable negligence at common law and some of them under the statute, and the defendants are equally liable in either event, but are only liable for the single damages sustained by the plaintiff. Why should he be compelled to amend his pleadings and to set up two causes of action where he only has one, at the expense and delay of this motion? No practical reason, no reason commended by the law, appears to us."— *Arcado* v. *New York Contracting and Trucking Co.*, 116 *App. Div.* 793.

III. In a case brought under section 1 of the Employers' Liability Act, which makes an employer liable for negligence of one "whose sole or principal duty is that of superintendence," the trial court dismissed the complaint. The Second Appellate Division, however, reversed this judgment and was in turn reversed by the Court of Appeals in February, 1907, on the ground, according to the Reporter's summary, that —

where it appears, in an action brought to recover for the death of plaintiff's intestate caused by the breaking of a defective ladder negligently selected for decedent to work upon by an alleged superintendent of the defendant, that the decedent was in the service of the defendant as a helper to a steamfitter, or plumber, also working for the defendant; that the latter was employed by the defendant solely as a steamfitter, or plumber, and had been occupied as such during the entire time that he had been in the defendant's service; that the steamfitter had no power to hire or discharge the helper, who was employed by the defendant and directed to serve as a helper to the steamfitter; that they worked together as laborers, doing the same class of work, one as the mechanic, fitting or repairing steam pipes, the other assisting him in that work, the relation between them was merely that of co-employees; and, notwithstanding the fact that it was the helper's duty to obey the directions of the steamfitter with reference to their work, the steamfitter did not occupy the position of, and had never been intrusted with, the powers of a superintendent within the meaning of the Employers' Liability Act. The defendant is not liable, therefore, for the negligence, or error in judgment, of the steamfitter in selecting, for the helper to work upon, an old and defective ladder, which broke and caused the helper to fall, whereby he received injuries from which he died, when there were numerous other ladders upon the premises from which a safe and suitable ladder could have been selected.— *McConnell* v. *Morse I. W. & D. D. Co.*, 187 *N. Y. Rep.* 341.

IV. In an action under the Employers' Liability Act to recover damages for personal injuries, it appeared that the plaintiff was an oiler in charge of certain machinery in a factory; that the belt connecting a countershaft with the main shaft came off the wooden pulley on the main shaft, and that when the plaintiff and another oiler, by direction of the shift foreman, attempted

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to fix it, it doubled around the wooden pulley on the main shaft and drew tight, loosened the pulley and stopped it so that the shaft revolved inside the pulley. It was impossible to stop the main shaft without shutting down the whole plant, and the shift foreman had no authority to do this. However, he directed the engineer to slow down, and, with the plaintiff and two other workmen, pulled the belt out so that the lacing could be cut, and then he ordered the plaintiff to go over to the shaft and throw the belt off. In attempting to do this the loose end wrapped around one of the plaintiff's legs and drew him against the shaft. It was part of the duties of the shift foreman to assist in handling the belts and other machinery.

A verdict of $12,500 was obtained in favor of plaintiff, but was set aside by the Fourth Appellate Division of the Supreme Court in November, 1906, by a vote of three to two, the court holding that —

the accident was caused by the separation of the belt which was accomplished by the efforts of the shift foreman and the other workmen acting as co-employees; that the liability of the master does not depend upon the grade of the servant with whose negligence the plaintiff seeks to charge him, but upon the character of the work in the performance of which the injury arises; that the work of throwing off the belt which the plaintiff was directed to do and the attempt to extricate the belt without stopping the machinery were mere details; that the accident was unusual and extraordinary and one which the master could not reasonably have anticipated.— *Guilmartin* v. *Solvay Process Co.*, 115 *App. Div.* 794.

V. An iron-worker while employed on an elevated railway was injured by a current of electricity from an insulated conductor serving to feed the third rail, and was awarded $700 damages by the City Court of New York. This award was set aside by the Appellate Term of the Supreme Court in April, 1906. In reversing the latter judgment, the First Appellate Division in December held that —

only obvious risks are assumed by an employee. Latent, hidden dangers known to the employer and unknown to the employee, of which no warning has been given, are not assumed. The duty to give warning of such hidden dangers is a duty which the master cannot delegate.

In the prevailing opinion Justice Clark said in part:

"It has always been the law that an employee assumes the obvious risks of his employment, and the Employers' Liability Act has modified the rule only in so far as to require a submission of the question to the jury as one

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of fact whether the employee understood and assumed the risk of injury. (*Kiernan* v. *Eidlitz,* 115 App. Div. 141.)

"But it is the obvious risk that is assumed. Latent, hidden dangers, known to the employer and unknown to the employee, of which no information or warning or instruction has been given are not assumed. The duty of the master is to furnish a safe place in which to perform the work. This master's duty cannot be delegated. There are kinds of work which are inherently unsafe and can only be prosecuted with the utmost care and caution. When danger lurks in apparently harmless instrumentalities the duty of instruction and warning is imperative. A stick of dynamite carries no terrors to the ignorant. A wire may transmit by an innocuous current the messages of commerce or of social life through the inductive agency of the telegraph or telephone instrument, or it may carry an electric current for light or motive power of such force and intensity as, if interfered with, to cause instant death. To inform and instruct under such circumstances becomes part of the duty of the master which cannot be delegated."— *Carey* v. *Manhattan Railway Co.,* 116 *App. Div.* 247.

SECTION 81 OF THE LABOR LAW.

While operating a sizing machine in a candy factory, plaintiff had his hand caught in a pair of unguarded rolls. The machine was of standard make and similar in all respects to those used in manufacturing establishments of the same kind, and with the exception of being unguarded, was in good order. Suit was brought under the Employers' Liability Act and section 81 of the Labor Law, which requires that all machinery "shall be properly guarded." A verdict of $1,500 was obtained, but was set aside by the Third Appellate Division in November, 1906, it being held that —

Where the employee's hand was caught in the machine which he was operating and there is no evidence in any way attributing negligence to his employer, except in respect to the guard of the machine, it is error for the court to refuse to charge the jury to that effect.

It is error to charge over exception that it was the duty of the employer to promulgate rules for the operation of its machinery where there is no evidence to show what rule could have been adopted which would have protected the plaintiff and when no instruction is given on that point.— *Severson* v. *Hill-Warner-Fitch Co.,* 116 *App. Div.* 106.

CASES UNDER THE COMMON LAW.

I. A machinist operating a shaping machine "complained on Monday to his employer that the machine was improperly set up" but, on being assured that the defect would be remedied the following Saturday, continued to work. On the Thursday inter-

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vening he was injured, and brought suit, obtaining a verdict of $5,000 damages. On the authority of *Rice* v. *Eureka Paper Co.* (174 N. Y. 385; BULLETIN 1903, p. 185), the Fourth Appellate Division in November, 1906, affirmed the judgment, holding that a master who directs an employee to operate a defective machine, even when such defect is known to the employee, and the attendant danger is fully understood and appreciated, becomes liable for injuries sustained by the employee because of such defect and solely because the master promised to remedy the defect at a certain time and the accident resulted during that time.— *Swarts* v. *Wilson Manufacturing Co.*, 115 *App. Div.* 739.

II. Donato Citrone, a laborer, was awarded $4,250 damages for injuries received by the falling upon him of some loose stones and earth from the sides of a trench. After a blast had been fired it was his duty to remove the loose stones and earth from the trench which he and others were constructing. On the morning in question he had called attention to the unsafe character of the trench, which needed shoring, and obtained a promise that the fault would be remedied "after dinner." In the intervening time, however, the trench caved in with the result aforesaid.

The Second Appellate Division in June, 1906, affirmed this judgment on the doctrine that a promise by the master to repair a dangerous defect, made to the servant to induce him to continue work, constitutes a contract to relieve a servant from the risks of the employment for the period set by the agreement, and the master, not the servant, assumes the risk. (113 App. Div. 518; BULLETIN 1906, p. 494.)

In unanimously reversing this judgment the Court of Appeals on April 30th did not disturb the rule laid down by the Appellate Division, but held that the evidence shows that the work to be done was the construction of the trench and whatever was the danger to which the men were exposed it was due to the manner in which the work was prosecuted. The degree of safety near the head of the trench was constantly subject to change as the trench was extended. Under such circumstances the rule of law which makes it incumbent upon an employer to provide or maintain a safe place in which his employees are to do their work has no application. The cases on which the plaintiff relied and

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in which this doctrine was held applicable was that in which the person injured had nothing to do with the preparation of the trench, but it had been prepared for him and the work constituted no part of the construction of the trench itself.— *Citrone* v. *O'Rourke Engineering Const. Co.*, 188 *N. Y.* 339.

III. On the application of the same doctrine the Court of Appeals the same day reversed the judgment of the Fourth Appellate Division, affirming an award in favor of plaintiff, thus:

Where one of a gang of workmen, employed by a railroad company under the direction of a competent foreman, in the excavation of a gravel bank with a steam shovel, which was moved forward on a temporary track as the bank was shoveled away, was injured by the caving in of an overhanging part of the bank, he cannot recover upon the theory that the company failed to furnish a safe place for its servants to work in, since the place where the men were to work changed from day to day, as the steam shovel moved on in its operations, and was necessarily such as the conformation of the embankment and the process of excavation made it; while the caving in of the embankment was an ever present possibility which required the exercise of active vigilance to guard against, the company had the right to delegate that duty to a foreman, and having furnished a concededly competent foreman, it is not liable for his negligence, or error in judgment, if any, in failing to perform that duty.

The fact that the company had not furnished explosives, with the tools and other appliances provided, to break down the overhanging top of the embankment after the earth beneath had been taken away by the steam shovel, does not render the company liable where there is no evidence that explosives were demanded by the situation; that they were deemed necessary by the foreman, or would have been used by him, if furnished, and the evidence shows that no attempt was made before the accident, or at any other time, to pry off the top of the embankment with the tools and appliances furnished for that purpose; so that the negligence, if any there was, was that of the foreman, a fellow-servant of the plaintiff, and not that of the company. — *Russell* v. *Lehigh Valley R. R. Co.*, 188 *N. Y. Rep.* 344.

IV. The Court of Appeals in April, 1907, unanimously reversed the judgment of the Fourth Appellate Division affirming an award of damages to the plaintiff in a case summarized in reporter's headnote as follows:

An employee who is injured while riding in a "skip" or iron box used in hoisting ore out of a mine, and not intended for passengers, cannot recover damages where the master has provided a safe method of egress from the mine, unless he shows that he was directed to so ride by his superior, or that it had been the custom of the employees to thus use it to the knowledge of the master; nor can a recovery be had in any event in the absence of proof showing some defect either in the appliances or method of construction, and a master is not bound to anticipate that an employee riding in such a "skip" will permit any part of his person to extend beyond its sides.

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A master is not bound to use the best known appliances, but only such as are reasonably fit and proper.— *Burns* v. *Old Sterling I. & M. Co.*, 188 *N. Y. Rep.* 175.

V. A longshoreman was killed by the fall of an iron shutter used to close a porthole. A verdict was secured in favor of plaintiff and affirmed by the Second Appellate Division; but the Court of Appeals, in February, reversed these judgments and granted a new trial on the following grounds:

Mere proof that an accident has happened is not evidence of a master's negligence; he is not an insurer and is only liable for the exercise of reasonable care and prudence.

Where the only issue is whether a master has failed to perform his legal duty to provide for his servant a reasonably safe and proper place to work, evidence that the servant was killed by the fall of an iron shutter upon one of the master's vessels, is not sufficient to establish the master's liability for damages, in the absence of proof of some affirmative act or omission constituting negligence on the part of the master, and showing that the servant was free from contributory negligence.— *Rende* v. *N. Y. & Texas Steamship Co.*, 187 *N. Y. Rep.* 382.

VI. A saleswoman while employed at her ordinary duties walked through an open elevator door and fell down the shaft. The catch on the door was so defective that the door would not stay shut but would slide back and remain open. Moreover the elevator-boy was accustomed to go about the store on errands and had gone on such an errand when the accident occurred. During his absence another employee had entered the elevator and taken it to an upper floor. At the Erie Trial Term in November, 1905, the complaint was dismissed by the court on the grounds that defendant was free from negligence, but one year later the Fourth Appellate Division unanimously reversed this decision and granted a new trial.— *Wendell* v. *Leo,* 115 *App Div.* 850.

VII. Plaintiff's intestate while at work on a scaffold was precipated to the ground by the collapse of the scaffold and received injuries which twenty-six days later caused his death. Defendant contended that the cause of death was not certain owing to the lack of an autopsy and that it was not proven that the injuries were the proximate cause of death. The Second Appellate Division, however, in January, 1907, unanimously affirmed an award of $17,500 damages granted plaintiff holding, according to the Reporter's head-note, that —

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When it is a question as to whether the death of the plaintiff's intestate resulted from an injury caused by the negligence of the defendant, the jury are not required to determine the definite cause of death with scientific certainty. They are not required to base the verdict on medical testimony, and are at liberty to disregard the opinions of experts called by either side.

When it is shown that the decedent, a man of good health, at work upon a scaffold which gave way, fell fifteen or twenty feet, and that building stones and mortar tubs fell on him; that his leg and ankle were broken; that he was badly bruised, especially his left side and shoulder, and suffered from shock; that he was taken to a hospital, where he died suddenly about twenty-six days thereafter, and the physician in charge testifies that, in his opinion, the death was caused by embolism of the heart, and that the injuries were an adequate cause thereof, a verdict finding that the death was caused by the injury is warranted by the evidence, although other experts testify that the cause of death could not be ascertained with scientific certainty without an autopsy.

When a witness has testified that the deceased died of embolism, subsequent hypothetical questions may be asked based upon that assumption.— *Kelly* v. *Wills*, 116 *App. Div.* 758.

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LAWS OF 1907 RELATING TO LABOR.

In his annual message to the Legislature, the Governor particularly emphasized the need of a revision of the laws governing the Department of Labor, the addition of more inspectors to its force and further protection for children, thus:

The Labor Department should be put on a better footing. Prior to 1901 the bureaus or departments of labor statistics, factory inspection, and mediation and arbitration were separately organized. In that year they were consolidated into the present Department of Labor, but this was accomplished without a suitable revision of the law and some confusion has resulted. Not only should the law be carefully revised, but provision should promptly be made to increase the efficiency of the department by thoroughly equipping it for its work. It serves no useful purpose to increase the duties of a department without supplying the means by which they may be discharged. And it is of vital importance to the interests of the wage earners throughout the State that the provisions of the Labor Law should be strictly enforced.

There is urgent need for more inspectors. It is utterly impossible for the present force to meet the requirements of the law, and whatever increase is necessary to secure the enforcement of the important provisions of the statutes regulating the conditions of labor should be supplied without delay. To attain proper efficiency the work should be specialized and positions and salaries should be graded.

I recommend to your careful consideration the important subject of child labor. Laws for the protection of children, in securing to them their right to an elementary education and in surrounding them with appropriate safeguards, make a special appeal to humane sentiment, and nothing should be left undone to give them full effect.

Children under sixteen should have an eight-hour day. Such a provision will not only furnish protection from excessive strain, but will also aid the administrative officers in their enforcement of the law.

I also recommend that in order to protect children from dangerous employments there should be a more precise prohibition specifying the occupations in which children under sixteen shall not be employed. General prohibitions as to such matters are apt to be found inoperative. It is fair to all concerned and essential to the protection of children that the law be made as specific as possible.

RE-ORGANIZATION OF THE DEPARTMENT OF LABOR.

Chapter 505, which took effect June 15th, completely reorganized the Department of Labor. Before it took effect the three bureaus constituting the Department were organized under the Labor Law, (Chap. 415, Laws 1897 as amended), while the Department itself was created and its organization determined by

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Chapter 9 of the Laws of 1901. The provisions of these two chapters were inconsistent and the necessity of construing them together resulted in much embarrassment and confusion. This act therefore repeals Chapter 9 of the Laws of 1901, incorporates provisions to determine the organization and powers of the Department of Labor in the Labor Law itself (Article II) and amends the provisions of that law relating to the different bureaus of the Department to correspond. Appropriately entitled heads, subordinate to the Commissioner of Labor, are provided for those bureaus, namely: a Chief Statistician, a Factory Inspector and a Chief Mediator for the Bureaus of Labor Statistics, of Factory Inspection and of Mediation and Arbitration respectively; the salary of the Commissioner of Labor is increased from $3,500 to $5,000; the deputy factory inspectors are divided into three grades instead of being classed in one only; the composition of the State Board of Mediation and Arbitration is changed; and the provisions of Article X of the Labor Law are amended to lay emphasis upon mediation and conciliation rather than upon arbitration by a State Board as a means of preventing or settling labor disputes. This act amends the law solely as to matters of organization and administration, and in no way alters the substantive provisions contained in Articles I, IV, VI, VII, VIII, IX, XI and XII of the Labor Law.

Chapter 506 is a companion measure to the preceding. It amends the Penal Code relative to violations of provisions of the Labor Law so as to make it conform to that law as amended by Chapter 505 *supra,* and to reduce the maximum penalty for a first violation of certain provisions from $100 to $50. The object of this latter change is to bring the amount of the highest possible fine within the jurisdiction of Justices of the Peace and of Police Justices, and thereby to avoid the necessity of prosecuting by indictment by Grand Juries. For not only was that procedure too slow and difficult to be effective, but the Grand Juries so uniformly showed themselves indifferent to our petty prosecutions and so generally dismissed our strongest cases that in the minds of the discouraged Factory Inspectors they had become insuperable obstacles to the enforcement of the law. This amendment is therefore most important.

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Chapter 520 is the result of a suggestion by the Superintendent of Public Works, and authorizes him to assign temporarily to this Department (Bureau of Factory Inspection) two high grade engineers, employed by him as steamboat inspectors, whenever their services are not needed in that capacity. That ordinarily happens during the winter months when navigation is closed.

The appropriation bill, as passed by the Legislature, besides increasing the salaries of a few officials in the Department of Labor, provides for the following additions to its force, viz: an assistant factory inspector, a medical inspector of factories, four deputy factory inspectors and eight employees with titles unspecified. This will provide a total force of only one less than called for by the estimates submitted by the Commissioner of Labor, and is the most intelligent and generous treatment the Department has received from the Legislature for many years.

If the plans of the present Commissioner be carried out the following will be the resulting organization of the Department, after October 1st next:

The Department of Labor.

The Commissioner, an assistant or counsel, an auditing clerk and a confidential clerk.

The Bureau of Labor Statistics.

The Chief Statistician, five statisticians, an expert economist, five special agents, two clerks and a librarian.

The Bureau of Factory Inspection.

The Factory Inspector (First Deputy Commissioner), two assistants, a superintendent of licenses, a medical inspector of factories, two special agents, fifty-two deputy factory inspectors, a tunnel inspector and ten clerks. In addition there may be assigned to it temporarily during the winter months two inspectors from the steamboat inspection service (see Chapter 520 *supra*).

The Bureau of Mediation and Arbitration.

The Chief Mediator (Second Deputy Commissioner), a mediator, two assistant mediators, a special agent and a clerk. Of the "mediators" three, to be designated by the Commissioner of Labor, will constitute the State Board of Mediation and Arbitration.

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"FACTORY LAWS."

Chapter 485 adds a simple provision to Section 88 of the Labor Law requiring that in foundries there shall be suitable provisions for washing, and for drying the clothes of the workmen which otherwise would remain unhealthily damp from sweat.

Chapter 490 is an act drawn by the Commissioner of Labor to cure defects in Section 86 of the Labor Law relative to the ventilation of factories. As the statute reads a factory has to have sufficient means of ventilation but does not have to use those means. This act provides that after October 1st factories must be *kept* properly ventilated. And it also provides that where excessive heat, steam, gases, vapor or other impurities make the air unhealthy, special means must be used to exhaust them so far as practicable. This amendment still leaves our law in this particular somewhat behind the times in that it does not fix any standard of purity for the air of factories; but it was felt that so long as our Bureau of Factory Inspection remains comparatively deficient in scientific equipment it would be unwise to fix a standard that it could not use nor apply.

Chapter 418 excepts from that provision of Section 111 of the Labor Law which requires that all cellars or basements used as confectioneries shall be over seven feet in height, such cellars or basements over six feet high as were used as confectioneries before that provision took effect, October 1, 1906. In the process of enforcing that provision this Department found many cases where it would work extreme hardship and require either an abandonment of the shop or a most expensive alteration of the building. In these shops only a few persons were employed and those irregularly; and the sanitary conditions were not bad. Therefore and as it was thought that such shops can be sufficiently regulated by insisting on perfect ventilation the Department recommended the enactment of this law.

Chapter 399 amends Article IX of the Labor Law relating to mines and quarries by inserting therein provisions regulating work in the construction of tunnels, and imposes the duty of inspecting tunnels under construction and of enforcing such regulations therein upon the Commissioner of Labor. It was meant to apply particularly to the tunnels now under construction in

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New York City. The act took effect immediately upon approval, but as no provision was made for a tunnel inspector and as there is no one in the Department competent to perform such duties, it will be necessary to wait until the Appropriation Bill takes effect October 1st, when one of the new employees therein appropriated for will be a tunnel inspector if a competent person can be procured for the salary provided.

Two departmental bills to amend the "factory laws" were lost. One (Prentice Assembly bill Int. No. 81) defined hotel, steamship and railroad laundries run by steam or artificial power as factories and made them subject to the "factory laws" The other (Prentice Assembly bill Int. No. 83) struck out of Section 6 of the Labor Law relative to hours of labor in brickyards the provision against work before 7 A. M. except for extra compensation and by agreement. Neither bill was important. The reasons for them may be found stated in the report of the Commissioner of Labor for 1906.

WOMEN AND CHILDREN.

Chapter 291 makes more clear the provisions of the Labor Law relative to the issuance of employment certificates for children between 14 and 16 years of age in factories and mercantile establishments, and adds a new provision for the issuance of such certificates to children who are unable to produce the legal evidence of age required by the former provisions. Briefly stated, this new provision makes proper physical development sufficient proof of age for the issuance of a certificate.

Some minor amendments to the Compulsory Education Law respecting the school record required for children's employment certificates were made by Chapter 103 and subsequently incorporated in a bill now before the Governor (S. 1801, introduced by Mr. Agnew, Int. 1091, reprinted on pages 241–4 *post*).

Senate bill 1837 (introduced by Mr. Hooper, A. 1539) practically redraws the "Newsboy Law" (Labor Law Art. XII) throughout, without substantial change, except that the duty of enforcing it is specifically imposed upon the police *and* the school attendance officers.

Chapter 286 amends Section 77 of the Labor Law to reduce the number of hours per day that children may be employed in fac-

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tories from nine to eight, and the hours between which they may be so employed from between 6 A. M. and 7 P. M. to between 8 A. M. and 5 P. M. The former change was recommended by the Governor in his message and had been for some time advocated by the Commissioner of Labor. But the latter change was opposed by the Commissioner on the ground that it was an unnecessary and arbitrary regulation that would frequently cause hardship and yet be of little value as an aid to enforcing the eight-hour rule.

Chapter 507 amends Sections 77 and 78 of the Labor Law to take effect October 1st. It extends the provisions relative to children under 16 amended by the Page bill (Chapter 286 *supra*), to apply also to children employed "in connection with factories." It changes the law relative to male minors between 16 and 18 years of age by repealing the former prohibition against their employment before 6 A. M. and after 9 P. M. and substitutes a prohibition of employment between midnight and 4 A. M. The former prohibition prevented such youths from learning certain trades such as brickmaking and baking which require work before 6 A. M. and after 9 P. M. respectively, and from being employed in certain high class factories usually operated only by day but which occasionly run over into the evenings after nine o'clock; and the Department has found that in practice its net results were not good. But the principal effect of this act is entirely to reframe the law relative to the hours of labor of females over 16. It divides them into two classes, minors under 21 and adults, in order to limit to the adults the effect of recent decisions of the courts, holding the night work prohibition of Section 77 unconstitutional because it applies to adults, (affirmed by the Court of Appeals, June 14, 1907; see pages 177–181). The limitations upon the number of hours of labor are left much as they were, only the ten-hour day rule is made less rigid and subject to more exceptions, while on the other hand employment is restricted absolutely and in all events to not more than 12 hours a day for 6 days a week. A new provision is inserted to prevent the practice of "swapping" employees, by which the limitation of hours was legally evaded. And finally the remedial provisions of the two sections, which were vitally defective, have been entirely redrawn and made both more easily observable and enforcible.

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In its original form this bill created an exception, adapted from the English law, in favor of factories manufacturing seasonal and perishable articles or the products of such articles, and allowed them to employ females over 18 years of age for 66 hours a week, but in not to exceed 6 weeks a year. Similar exceptions are contained in the laws of almost all the nations of Europe and are permitted by the recent international labor treaty signed at Berne. They are based upon necessity and equity and are consonant with health, for the reason that in such industries limited overtime during rush seasons would be more than counterbalanced by reduced hours in the slack seasons. But the provision aroused such a violent public protest that it was temporarily abandoned. That was the cause of sincere regret to the Commissioner of Labor who will continue to urge its adoption.

A companion bill to the preceding was Hooper Assembly bill (Int. No. 1367) to amend Article XI of the Labor Law relative to the hours of labor of women and children in mercantile establishments, which passed the Assembly but was defeated on third reading in the Senate. It sought to approximate the regulations upon the hours of labor of women in stores, employing three or more persons, to the corresponding regulations for factories, and to transfer the duty of enforcing all the provisions of the Labor Law relative to mercantile establishments in cities of the first class from the local boards of health to the Department of Labor. This Department was embarrassed in its advocacy of the bill because if enacted it would have increased its jurisdiction and have necessitated a large addition to its appropriation. But it strongly endorsed the proposed amendments to the substance of the law, for the reason that the difference between the statutory regulations of hours of labor in mercantile establishments and factories respectively is unjust to the latter and makes more difficult the enforcement of the provisions applicable to them. From a comparison of Sections 77 and 161 it will be seen that children under 16 may be employed 9 hours a day in stores but only 8 hours in factories; females over 16 and under 21 may be employed in stores without any limitations during the Christmas rush seasons, but in factories they may never be employed more

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than 60 hours a week; and adult women may always be employed in stores without any restrictions as to time, while in factories their hours are strictly limited. So far as small stores, in which the employees quietly "keep shop" in the old fashioned way, are concerned, there is reason for this discrimination in their favor. But there is none for such a discrimination in favor of the modern department stores. In them, particularly during the hurry and with the crowds of the rush seasons, conditions are infinitely harder and less sanitary for women than in the better factories. Why for instance should women packers be allowed to work 78 and 84 hours a week in ill ventilated and crowded spaces in department stores if it be a necessary health regulation to prohibit their working more than 60 hours a week in well ventilated and properly appointed workrooms in factories? The only adequate explanation is that the proprietors of the stores are better organized and have stronger political influence than the manufacturers. In any reasonable space it is not possible to explain the ways in which this difference between the two laws militates against the enforcement of the factory law but only to cite one illustration. In this connection it must be understood that laws regulating the labor of women are partly to protect them against themselves; for excessive work is not altogether the result of duress or compulsion but is as often induced by the extra pay and higher wages obtainable for "overtime" in rush seasons. When therefore the factory inspectors succeed in limiting the hours in factories as required by law the result is that some of their female employees transfer altogether to stores in order to get "overtime," while others after working short hours in the factories during the day work in stores in the evenings. In such cases there is no benefit from the enforcement of the factory law, and the only tangible result is to impose an unfair handicap upon manufacturers, who in consequence and not unnaturally resort to concealment and evasion. And a perfectly legal evasion of the law is easy in some operations. For instance a New York City factory operator who manufactures and packs his goods largely for sale in that city can, if the factory inspectors limit the hours of work of his packers during his rush season and if he have stores of his own or can procure space in or in connection with any store or stores where his or similar ar-

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ticles are sold, transfer his goods in bulk and his packers to such store or stores, and there, under conditions probably much inferior to those in the packing department of his factory, carry on his packing without any restrictions whatever upon the labor of his female employees.

There were strong constitutional objections urged against certain provisions of this bill; but they apply with equal force to the existing factory law and should not logically have stood in the way of assimilating the two laws.

It is to be hoped that this bill or a bill containing the substance of its provisions will be taken up again at the next session of the Legislature and enacted into law.

HOURS OF LABOR.

The eight-hour law for children working in factories was mentioned above, as well as the new law regulating the hours of working women. Several bills were introduced to restrict the hours of employment of male workmen in the public service, including firemen and policemen in cities; it was also proposed to extend the eight-hour law (§ 3 of the Labor Law) to engineers and firemen employed in the State hospitals.

A bill to amend section section 6 of the Labor Law restricting the hours of workmen in brickyards operated by *corporations*, so as clearly to legalize the existing practice of working before 7 o'clock in the morning was not advanced. Most of the bills restricting the freedom of adult males to make such contracts as they wish, or are compelled to make, respecting the hours of work, related to the railway service, where the public safety is involved. A bill to reduce from ten to nine, the daily working hours of street railway employees in cities of 100,000 or more failed of passage, but the bill to extend the law to all cities of the second class was enacted as chapter 243. This act, which took effect July 1st, brings within the application of the ten-hour law the cities of Albany, Troy, Utica, Schenectady, and Yonkers.

The influence of the new Federal law, restricting the hours of labor on railways, was shown in the introduction of numerous bills on the same subject, two of which were passed. Chapter

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523, in effect March 4, 1908, makes it a crime for a railway company to require or permit an employee in the train service to remain on duty more than sixteen hours at a stretch, or on the completion of a sixteen-hour trip to go on duty again without a ten-hour rest. Another bill passed and now awaiting the action of the Governor (introduced by Mr. Northrup, Int. No. 891, Printed No. 2262), limits to eight hours a day the working time of block system telegraph and telephone operators and signalmen. This bill, if approved, will go into force October 1st.

Several bills were introduced to secure Sunday rest for workmen, including street cleaners in New York City (Senate Bill No. 550, Int. No. 476) and bootblacks (after 3 o'clock Sunday afternoon). Only one of the bills became law — chapter 297, which gives the barbers of Saratoga Springs a holiday on Sunday during nine months of the year, while still permitting the shops there to remain open until 1 P. M. Sundays. Elsewhere in the state, with the exception of New York City, barber shops must be closed on Sundays.

Among the bills providing for vacations of municipal employees, one was passed by the Legislature over the disapproval of the Mayor of New York City (introduced by Mr. Hoey, A. 1447, Printed No. S. 1606); it provides that every employee of the city shall be entitled to an annual vacation of ten days without loss of pay.

HEALTH AND SAFETY.

The acts to preserve the health of workmen by requiring pure air in factories and the provision of facilities for drying clothes in foundries have been mentioned. The bill prohibiting the employment in dairies or creameries of persons having infectious or contagious disease (introduced by Mr. Boshart, A. 2761, Int. No. 1891), aims primarily to protect the health of consumers. It passed both houses and awaits the approval of the Governor. There was also a bill making it unlawful for cigar makers to touch the tobacco with tongue or lips during any part of the process.

Two bills were passed for the protection of the health of street car motormen by requiring the enclosure of the car platform in

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winter. One of the bills (introduced by Mr. Geoghegan, A. 1377, Int. No. 682) amends the law for Kings and Queens counties by requiring the platform to be enclosed on both sides as well as the front, and the other bill requires complete vestibules in Westchester county (Assembly Bill No. 2355, introduced by Mr. Haines, Int. No. 1178). Bills for the protection of the motormen in New York county, which is at present the only county excepted from the law, failed of enactment.

Security from accidents, no less than preservation of health, calls for legislative interference, and both are embraced in the act, already mentioned, bringing tunnel construction under State supervision (chapter 399), as the tunnel workers are not only subject to unusual hazards from explosives, collapse of structures, earth, etc., but also to the caisson disease or the "bends." The new law provides that there shall be guages to indicate the weight or pressure of the air in all tunnels where men are working under artificial air pressure. The same act carries some needed amendments to the requirements as to hoisting apparatus, cars, etc., in mines as well as tunnels.

The well-known frequency of elevator accidents led to the introduction of several bills in relation to the equipment of elevators — gates, slides, automatic clutches, etc.— but none were passed. The Assembly passed a bill to provide for the keeping of surgical supplies and appliances in factories, and similar bills were introduced with respect to railroads, but were not passed, as the new Public Service Commissions are endowed with ample power to require the installation of safety appliances (chapter 429). A law was, indeed, enacted for the stricter inspection of locomotive boilers (chapter 208), but the Governor vetoed the bill requiring the employment of an additional brakeman, making a train crew to consist of six instead of five persons. The reasons for the veto were set forth in the following memorandum:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,
ALBANY, *June* 15, 1907.

To the Assembly:

I return herewith, without my approval, Assembly bill No. 455 (Senate reprint No. 1338), entitled "An act to better protect the lives of railroad employees."

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This bill provides that it shall be unlawful for any railroad company in the State of New York "that runs more than four freight trains in twenty-four hours," to run over any part of its road outside of yard limits any freight trains composed of more than twenty cars with less than a full crew of six persons, to wit: one engineer, one fireman, one conductor and three brakemen; or a light engine without cars without a crew composed of one engineer, one fireman, one conductor or flagman, when running a distance of ten miles or more from starting point.

According to present practice, freight trains are very generally operated with a crew of five persons, and the object of this bill is to compel the employment of an additional brakeman. The necessity for this is said to lie in the fact that without three brakemen the freight trains are insufficiently manned, and that firemen are compelled to leave their places in all kinds of weather to throw switches when the two brakemen are required respectively to go ahead of and behind the train.

This bill, however, upon the facts developed before me upon the hearing and undisputed, is clearly unconstitutional. Such a measure should define the service required with suitable reference to circumstances and conditions so that the law would apply in proper cases and not otherwise. The bill takes no account of the differences between the different roads and parts of roads, in trackage and switching facilities, and of the fact that what may be necessary in the case of some railroads may be wholly unnecessary in others. In the case of the New York Central Railroad it was shown that the trackage and switching facilities on its main lines were of such a character as to make unnecessary the employment of a third brakeman in accordance with the provisions of the bill. This was frankly conceded by supporters of the bill.

To require the expenditure of a very large amount of money (estimated at several hundred thousand dollars annually) without necessity for the outlay, is simply arbitrary exaction and a taking of property without due process of law. The bill does not refer its requirements to any proper standard of necessity or provide any criterion by which its proper application under varying conditions is to be determined. It contains an absolute requirement which, upon the facts conceded before me, cannot be justified.

(Signed.) CHARLES E. HUGHES.

PAYMENT, ASSIGNMENT, ATTACHMENT, ETC., OF WAGES.

The bill requiring railway companies to pay wages twice instead of once a month was again introduced and this year passed the Assembly, but remained in the Senate committee on railroads. A somewhat similar bill applicable to employees of the city of New York failed. The bill forbidding corporations to pay wages by check, unless making provision for prompt redemption without discount, did not pass.

The section of the Municipal Code which assists wage earners to collect wages due, but unpaid, was amended so as to permit

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actions to be brought within three months instead of one month (chapter 425).

Of the four bills amending the garnishee law (§ 1391 of the Code of Civil Procedure, in relation to exemptions and executions) none were enacted into law.

The so-called "loan shark" evil was the subject of a bill making it a crime for a lender to accept, directly or indirectly, more than 6 per cent. interest. It is well known that the usury law is now evaded through the payment of various commissions, bonuses, etc., whereby wage earners who borrow money in time of distress pay 10, 20 or even 40 per cent. a month.

PUBLIC EMPLOYMENT.

As the state is itself, or through its subdivisions, a very large employer of labor, and establishes many of the conditions of employment through statutory enactment, there are always many bills introduced under this heading. Mention has already been made of some of the bills relating to hours of labor; of the bills relating to the compensation of employees, two passed the Legislature and are reprinted in the BULLETIN. Senate bill 1614 (introduced by Mr. Apgar in the Assembly, Int. No. 894) increases the salaries of guards in State prisons, the maximum, obtained after four years' service, being $1,000 instead of $900. Senate bill No. 1623 (introduced by Mr. Wilcox, Int. No. 338) establishes four grades for guards in the State prison for women, with salaries ranging from $600 to $900, instead of a uniform salary of $600. The bill increasing the minimum salary of firemen in New York City from $800 to $1,000 was disapproved by the Mayor, and the school teachers' bill, after being passed by the Legislature over the Mayor's disapproval, was vetoed by the Governor. The bill to increase the salaries of street cleaners passed the Assembly only, and the bill to provide for the registration of laborers employed by cities, under the Civil Service Law, failed in both houses.

PROVIDENT FUNDS.

The growth of pension and insurance funds for industrial employments is a marked feature of recent years, which is re-

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flected in legislation. In the acts of the present year are numerous provisions relating to pension funds for firemen, policemen, teachers, and others in the public service, while the act providing for retiring on a pension Civil War veterans in the civil service was again vetoed by the Governor. Chapter 463 extends the provisions of the law regarding the disposal of unclaimed property left in street cars to carriages, omnibuses, etc. Such property may be sold and the proceeds must then be turned over to the beneficiary organizations of the employees, or, if none, to the public treasury.

A bill awaiting the action of the Governor (Senate bill No. 1322, introduced by Mr. Hill, Int. No. 983), adds a new article to the Insurance Law and provides for the incorporation of such beneficiary societies or associations of employees in the service of the same employer. The bill is reprinted elsewhere.

No action was taken on the bill amending the Employers' Liability Law of 1902, while the bill making contributory negligence an affirmative defense, to be pleaded and proved by the defendant, passed the Assembly only.

LICENSING OF TRADES AND OCCUPATIONS.

Chapter 83 repeals Article XIII of the Labor Law relative to the examination and registration of horseshoers. The penal statute making a violation of its provisions a misdemeanor was held unconstitutional by the courts several years ago, and that article was thereafter ineffective and useless.

Two bills in relation to the inspection of steam boilers and the examination and licensing of stationary engineers were introduced, one of which provided for a State system centered in a bureau to be established in the Department of Labor. The other bill, revising and codifying the provisions of the New York City charter, passed both houses of the Legislature and was disapproved by the Mayor. Bills were also introduced to require the licensing of journeymen, as well as master plumbers in cities, and to provide for the licensing of master plumbers in villages; and to require the examination and licensing of automobile drivers.

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For the protection of immigrants two statutes were enacted which are reprinted in the BULLETIN. Chapter 185 regulates the taking of deposits on the part of alleged steamship agents for transmission to foreign countries. Many immigrants in New York City had been defrauded by so-called bankers and steamship agents who received small savings to apply to the purchase of a steamship ticket for the depositor's relatives in Europe, or to forward directly to them, and subsequently decamped with the money. Owing to the difficulty of proving that the money had not been sent abroad, it was virtually impossible to convict one of these "bankers" even if caught. The new law requires such bankers to furnish a $15,000 bond and thus restricts the business to responsible persons. Chapter 546, a companion act, makes it a crime for any person to make misrepresentations in the sale of transportation tickets or to advertise himself as a steamship agent without written authority from the company.

MISCELLANEOUS.

Chapter 140 incorporating the Russell Sage Foundation is of general interest on account of the large sum ($10,000,000) placed at the disposal of the Foundation by Mrs. Sage, for "the improvement of social and living conditions." The trustees have limited the scope of the Foundation by excluding the relief of individuals or families and also the sphere of higher education; otherwise they may use its income for purposes of "research, publication, education, the establishment and maintenance of charitable or benevolent activities, agencies and institutions, and the aid of such already established."

Chapter 421 relates to the industrial commission established in the city of Niagara Falls for the purpose of advancing the industrial and commercial interests of the city and making its advantages known to outside manufacturers.

Several bills relating to the housing of workingmen, including amendments of the Tenement-House Law were introduced. The BULLETIN reproduces a bill now before the Governor relating to bakeries in tenement houses (Senate bill No. 667, introduced by Mr. Page, Int. No. 795).

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There was an unusual dearth of bills relating to industrial disputes, injunctions, etc., evidencing the generally satisfactory relations now existing between employers and employees. Some amendments were offered to the law governing the appointment of railway employees as special policemen, but the only bill that passed (Senate bill No. 1172, introduced by Mr. McManus, Int. No. 821) was one requiring that all special officers appointed by sheriffs, Mayors, etc., shall not only be residents, but also voters, of the county where appointed. The object of the bill is said to be to prohibit the importing of armed strike breakers.

TEXT OF THE NEW LABOR LAWS.

[Arranged in chronological order of enactment, as indicated by the chapter number. In order to reveal the changes made in existing law, new matter introduced is printed in *italic type* and old matter omitted is enclosed in brackets.]

CHAPTER 83.

AN ACT to repeal article thirteen of the labor law relative to horseshoers.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Article thirteen, consisting of sections one hundred and eighty, one hundred and eighty-one, one hundred and eighty-two, one hundred and eighty-three and one hundred and eighty-four of chapter four hundred and fifteen of the laws of eighteen hundred and ninety-seven, entitled "An act in relation to labor, constituting chapter thirty-two of the general laws," as amended by chapter five hundred and fifty-eight of the laws of eighteen hundred and ninety-seven, is hereby repealed.

§ 2. This act shall take effect immediately.

Approved March 27, 1907.

CHAPTER 103.

AN ACT to amend the consolidated school law, relative to school record certificates required under the compulsory education law.

[Amends sections 3 and 5 of title 16 of chapter 556 of the Laws of 1894, by supplying technical omissions concerning the possession of school record certificates on the part of boys employed in cities of the first and second classes. April 3, 1907, Subsequently incorporated in Chapter 585 (pages 241–4 *post*)].

CHAPTER 140.

AN ACT to incorporate Russell Sage foundation.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Margaret Olivia Sage, Robert W. de Forest, Cleveland H. Dodge, Daniel C. Gilman, John M. Glenn, Helen Gould, Gertrude M. Rice and Louisa L. Schuyler, together with such persons as they may associate with themselves, and their successors, are hereby constituted a body corporate by the name

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of Russell Sage foundation, for the purpose of receiving and maintaining a fund or funds and applying the income thereof to the improvement of social and living conditions in the United States of America. It shall be within the purposes of said corporation to use any means to that end which from time to time shall seem expedient to its members or trustees, including research, publication, education, the establishment and maintenance of charitable or benevolent activities, agencies and institutions, and the aid of any such activities, agencies or institutions already established.

§ 2. The corporation hereby formed shall have power to take and hold, by bequest, devise, gift, purchase or lease, either absolutely or in trust, for any of its purposes, any property, real or personal, without limitation as to amount or value, except such limitation, if any, as the legislature shall hereafter impose, to convey such property and to invest and reinvest any principal and deal with and expend the income of the corporation in such manner as in the judgment of its trustees will best promote its objects. It shall have all the power and be subject to all the restrictions which now pertain by law to membership corporations so far as the same are applicable thereto and are not inconsistent with the provisions of this act. The persons named in the first section of this act or a majority of them shall hold a meeting and organize the corporation and adopt a constitution and by-laws not inconsistent with the constitution and laws of this state. The constitution shall prescribe the qualifications of members, the number of members who shall constitute a quorum for the transaction of business at meetings of the corporation, the number of trustees by whom the business and affairs of the corporation shall be managed; the qualifications, powers, and the manner of selection of the trustees and officers of the corporation, and any other provisions for the management and disposition of the property and regulation of the affairs of the corporation which may be deemed expedient.

§ 3. This act shall take effect immediately.

Approved April 11, 1907.

CHAPTER 185.

AN ACT to regulate the taking of deposits by certain persons, firms and corporations.

[Designed for the protection of immigrants by licensing and placing under bond, (in the sum of $15,000, to the State Comptroller) "all corporations, firms and persons now or hereafter engaged in the selling of steamship or railroad tickets for transportation to or from foreign countries, who in conjunction with said business carry on the business of receiving deposits of money for the purpose of transmitting the same, or the equivalent thereof, to foreign countries." Section 4 makes it a misdemeanor to carry on such business without executing the bond, and chapter 546 (see below) also makes it unlawful for any person to advertise himself as the agent of a steamship company unless he has received authority in writing.]

CHAPTER 208.

AN ACT to amend the railroad law, in relation to the inspection and care of steam locomotives.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section forty-nine-a of chapter five hundred and sixty-five of the laws of eighteen hundred and ninety, entitled "An act in relation to railroads, constituting chapter thirty-nine of the general laws," as added

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by chapter six hundred and eleven of the laws of nineteen hundred and five, is hereby amended so as to read as follows:

§ 49-a. **Inspection of locomotive boilers.**— It shall be the duty of every railroad corporation operated by steam power, within this state, and of the directors, managers or superintendents of such railroad to cause thorough inspections to be made of the boilers *and their appurtenances* of all the *steam* locomotives which shall be used by such corporation or corporations, on said railroads. Said inspections shall be made, at least every three months [by competent and qualified inspectors of boilers] under the direction and superintendence of said corporations, or the directors, managers or superintendents thereof, *by persons of suitable qualifications and attainments to perform the services required of inspectors of boilers, and who from their knowledge of the construction and use of boilers and the appurtenances therewith connected, are able to form a reliable opinion of the strength, form, workmanship and suitableness of boilers, to be employed without hazard of life, from imperfections in material, workmanship or arrangement of any part of such boiler and appurtenances. All such boilers so used shall comply with the following requirements: The boilers must be made of good and suitable materials; the openings for the passage of water and steam respectively, and all pipes and tubes exposed to heat shall be of proper dimensions; the safety valves, fusible plugs, low water glass indicator, gauge cocks and steam gauges, shall be of such construction, condition and arrangement that the same may be safely employed in the active service of the railroad corporation without peril to life; and each inspector shall satisfy himself by thorough examination that said requirements have been fully complied with. No boiler, nor any connection therewith shall be approved which is unsafe in its form, or dangerous from defects, workmanship or other cause.* The person or persons who shall make the said inspections *if he or they approve of the boiler or boilers and the appurtenances throughout,* shall make and subscribe his *or their* name to a written or printed certificate which shall contain the number of each boiler inspected, the date of its inspection, the condition of the boiler inspected, *and such details as may be required by the forms and regulations which shall be prescribed by the railroad commissioners. Every certificate shall be verified by the oath of the inspector,* and *he* shall cause said certificate or certificates to be filed in the office of the railroad commissioners, within ten days after each inspection shall be made, and also *a copy thereof* with the *chief operating* officer or employee of such railroad having [immediate] charge of the operation of such locomotive *boiler; a copy shall also be placed by such officer or employee in a conspicuous place in the cab connected with the locomotive boiler inspected, and there kept framed under glass. The railroad commissioners shall have power, from time to time, to formulate rules and regulations for the inspection and testing of boilers as aforesaid, and may require the removal of incompetent inspectors of boilers under the provisions of this act. Copies of such rules and regulations shall be mailed to every corporation operating a railroad by steam in this state.* If it shall be ascertained by such inspection and test or otherwise, that any locomotive boiler is unsafe for use, the same shall not again be used until it shall be repaired, and made safe, *so as to comply with the requirements of this section.* [A certificate of a boiler inspector to the effect that the same is in a safe condition for use shall be made and filed in the office of the rail-

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road commissioners.] Every corporation, director, manager or superintendent operating such railroad and violating any of the provisions of this section shall be liable to a penalty, to be paid to the people of the state of New York, of one hundred dollars for each offense, and the further penalty of one hundred dollars for each day it or they shall omit or neglect to comply with said provisions, and the making or filing of a false certificate shall be a misdemeanor, *and every inspector who wilfully certifies falsely touching any steam boiler, or any appurtenance thereto belonging, or any matter or thing contained or required to be contained in any certificate, signed and sworn to by him, shall be guilty of a misdemeanor.* Any person, upon application to the secretary of said board of railroad commissioners, and on the payment of such reasonable fee as said board may by rule fix, shall be furnished with a copy of any such certificate.

§ 2. Such chapter is hereby amended by inserting therein a new section to be section forty-nine-c and to read as follows:

§ 49-c. *Care of steam locomotives; steam and water cocks; penalty.— It shall be the duty of every corporation operating a steam railroad, within this state, and of its directors, managers or superintendents, to cause the boiler of every locomotive used on such railroad to be washed out as often as once every thirty days, and to equip each boiler with, and maintain thereon at all times, a water glass, showing the height of water in the boiler, having two valves or shut-off cocks, one at each end of such glass, which valves or shut-off cocks shall be so constructed that they can be easily opened and closed by hand; also to cause such valves or shut-off cocks and all gauge cocks or try-cocks attached to the boiler to be removed and cleaned whenever the boiler is washed out pursuant to the foregoing requirements of this section; also to keep all steam valves, cocks and joints, studs, bolts and seams in such repair that they will not at any time emit steam in front of the engineer, so as to obscure his vision. No locomotive shall hereafter be driven in this state unless the same is equipped and cared for in conformity with the provisions of this section; but nothing here contained shall be construed to excuse the observance of any other requirement imposed by this chapter upon railroad corporations, their directors, officers, managers and superintendents. Every corporation, person or persons operating a steam railroad and violating any of the provisions of this section, shall be liable to a penalty of one hundred dollars for each offense, and the further penalty of ten dollars for each day that such violation shall continue. The board of railroad commissioners shall enforce the provisions of this act.*

§ 3. This act shall take effect September first, nineteen hundred and seven.

Approved April 25, 1907.

CHAPTER 243.

AN ACT to amend the labor law, relative to hours of labor on street surface and elevated railroads in cities of the first and second class.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section five of chapter four hundred and fifteen of the laws of eighteen hundred and ninety-seven, entitled "An act in relation to labor, constituting chapter thirty-two of the general laws," is hereby amended to read as follows:

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§ 5. **Hours of labor on street surface and elevated railroads.**— Ten consecutive hours' labor, including one-half hour for dinner, shall constitute a day's labor in the operation of all street surface and elevated railroads, of whatever motive power, owned or operated by corporations in this state, whose main line of travel, or whose routes lie principally within the corporate limits of cities of [more than one hundred thousand inhabitants] *the first and second class.* No employee of any such corporation shall be permitted or allowed to work more than ten consecutive hours, including one-half hour for dinner, in any one day of twenty-four hours. In cases of accident or unavoidable delay, extra labor may be performed for extra compensation.

§ 2. This act shall take effect July first, nineteen hundred and seven.

Approved April 30, 1907.

CHAPTER 286.*

AN ACT to amend the labor law relative to the hours of employment of minors in factories.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section seventy-seven of chapter four hundred and fifteen of the laws of eighteen hundred and ninety-seven, entitled "An act in relation to labor, constituting chapter thirty-two of the general laws," as amended by chapter one hundred and ninety-two of the laws of eighteen hundred and ninety-nine, by chapter one hundred and eighty-four of the laws of nineteen hundred and three, and by chapter four hundred and ninety of the laws of nineteen hundred and six, is hereby amended to read as follows:

§ 77. **Hours of labor of minors and women.**— No minor under the age of sixteen years shall be employed, permitted or suffered to work in any factory in this state before [six] *eight* o'clock in the morning, or after [seven] *five* o'clock in the evening of any day, or for more than [nine] *eight* hours in any one day. No minor under the age of eighteen years, and no female shall be employed, permitted or suffered to work in any factory in this state before six o'clock in the morning, or after nine o'clock in the evening of any day; or for more than ten hours in any one day except to make a shorter work day on the last day of the week; or for more than sixty hours in any one week, or more hours in any one week than will make an average of ten hours per day for the whole number of days so worked. A printed notice, in a form which shall be prescribed and furnished by the commissioner of labor, stating the number of hours per day for each day of the week required of such persons, and the time when such work shall begin and end, shall be kept posted in a conspicuous place in each room where they are employed. But such persons may begin their work after the time for beginning and stop before the time for ending such work, mentioned in such notice, but they shall not otherwise be employed, permitted or suffered to work in such factory except as stated therein. The terms of such notice shall not be changed after the beginning of labor on the first day of the week without the consent of the commissioner of labor. The presence of such persons at work in the factory at any other hours than those stated in the printed notice shall constitute prima facie evidence of a violation of this section of the law.

* The changes effected by this act have been incorporated in Chapter 507 (see p. 235), which takes effect October 1, 1907.

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§ 2. This act shall take effect January first, nineteen hundred and eight. Approved May 4, 1907.

CHAPTER 291.

AN ACT to amend the labor law, relative to the issuance of employment certificates for children in factories and mercantile establishments.

Section 1. Section seventy-one of chapter four hundred and fifteen of the laws of eighteen hundred and ninety-seven, entitled "An act in relation to labor, constituting chapter thirty-two of the general laws," as amended by chapter one hundred and eighty-four of the laws of nineteen hundred and three and chapter five hundred and eighteen of the laws of nineteen hundred and five, is hereby amended to read as follows:

§ 71. **Employment certificate, how issued.**— Such certificate shall be issued by the commissioner of health or the executive officer of the board or department of health of the city, town or village where such child resides, or is to be employed, or by such other officer thereof as may be designated by such board, department or commissioner for that purpose, upon the application of the parent or guardian or custodian of the child desiring such employment. Such officer shall not issue such certificate until he has received, examined, approved, and filed the following papers duly executed [:], [(1)] *viz.:* The school record of such child properly filled out and signed as provided in this article [.]; [(2) A passport or duly attested transcript of the certificate of birth or baptism or other religious record showing the date and place of birth of such child. A duly attested transcript of the birth certificate filed according to law with a registrar of vital statistics or other officer charged with the duty of recording births, shall be conclusive evidence of the age of such child. (3) The affidavit of the parent or guardian or custodian of a child, which shall be required, however, only in case such last-mentioned transcript of the certificate of birth be not produced and filed, showing the place and date of birth of such child; which affidavit must be taken before the officer issuing the employment certificate, who is hereby authorized and required to administer such oath, and who shall not demand or receive a fee therefor. In case it shall appear to the satisfaction of the officer to whom application is made, as herein provided, for an employment certificate, that a child for whom such certificate is requested and who has presented the school record and affidavit above provided for, is in fact over fourteen years of age and that satisfactory documentary evidence of such age can be produced which does not fall within any of the provisions of subdivision two of this section, and that none of the papers mentioned in said subdivision exists or can be produced, then and not otherwise he shall present to the board of health of which he is an officer or agent for its action thereon, a statement signed by him showing such facts, together with such affidavits or papers as may have been produced before him constituting such evidence of the age of such child, and the board of health, at a regular meeting thereof, may then, in its discretion, in a proper case, by resolution, provide that such evidence of age shall be fully entered on the minutes of such board and shall be received in place of the papers specified and required by subdivision two of this section. On due proof, in like manner, that a child who is a graduate of a public school of the state of New York or elsewhere having a course of not less than eight years, or of a school in the state of New York

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other than a public school, having a substantially equivalent course of study of not less than eight years' duration, and in which a record of the attendance of such child has been kept as required by the compulsory education law, and who produces and files a certificate of graduation duly issued to him therefrom, and who is recorded in the school records as fourteen years of age, is unable to further produce the evidence of age required by subdivision two of this article, the board may, by resolution, permit the issuance to such child of an employment certificate and dispense with such evidence of age as is in said subdivision provided.] *also, evidence of age showing that the child is fourteen years old or upwards, which shall consist of the evidence thereof provided in one of the following subdivisions of this section and which shall be required in the order herein designated as follows:*

(a) Birth certificate: A duly attested transcript of the birth certificate filed according to law with a registrar of vital statistics or other officer charged with the duty of recording births, which certificate shall be conclusive evidence of the age of such child.

(b) Certificate of graduation: A certificate of graduation duly issued to such child showing that such child is a graduate of a public school of the state of New York or elsewhere, having a course of not less than eight years, or of a school in the state of New York other than a public school, having a substantially equivalent course of study of not less than eight years' duration, in which a record of the attendance of such child has been kept as required by the compulsory education law, provided that the record of such school shows such child to be at least fourteen years of age.

(c) Passport or baptismal certificate: A passport or a duly attested transcript of a certificate of baptism showing the date of birth and place of baptism of such child.

(d) Other documentary evidence.— In case it shall appear to the satisfaction of the officer to whom application is made, as herein provided, for an employment certificate, that a child for whom such certificate is requested, and who has presented the school record, is in fact over fourteen years of age, and that satisfactory documentary evidence of age can be produced, which does not fall within any of the provisions of the preceding subdivisions of this section, and that none of the papers mentioned in said subdivisions can be produced, then and not otherwise he shall present to the board of health of which he is an officer or agent, for its action thereon, a statement signed by him showing such facts, together with such affidavits or papers as may have been produced before him constituting such evidence of the age of such child, and the board of health, at a regular meeting thereof, may then, by resolution, provide that such evidence of age shall be fully entered on the minutes of such board, and shall be received as sufficient evidence of the age of such child for the purpose of this section.

(e) Physicians' certificates.— In cities of the first class only, in case application for the issuance of an employment certificate shall be made to such officer by a child's parent, guardian or custodian who alleges his inability to produce any of the evidence of age specified in the preceding subdivisions of this section, and if the child is apparently at least fourteen years of age, such officer may receive and file an application signed by the parent, guardian or custodian of such child for physicians' certificates. Such application shall contain the alleged age, place and date of birth, and present residence of

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such child, together with such further facts as may be of assistance in determining the age of such child. Such application shall be filed for not less than ninety days after date of such application for such physicians' certificates, for an examination to be made of the statements contained therein, and in case no facts appear within such period or by such examination tending to discredit or contradict any material statement of such application, then and not otherwise the officer may direct such child to appear thereafter for physical examination before two physicians officially designated by the board of health, and in case such physicians shall certify in writing that they have separately examined such child and that in their opinion such child is at least fourteen years of age such officer shall accept such certificates as sufficient proof of the age of such child for the purposes of this section. In case the opinions of such physicians do not concur, the child shall be examined by a third physician and the concurring opinions shall be conclusive for the purpose of this section as to the age of such child.

Such officer shall require the evidence of age specified in subdivision (a) in preference to that specified in any subsequent subdivision and shall not accept the evidence of age permitted by any subsequent subdivision unless he shall receive and file in addition thereto an affidavit of the parent showing that no evidence of age specified in any preceding subdivision or subdivisions of this section can be produced. Such affidavit shall contain the age, place and date of birth, and present residence of such child, which affidavit must be taken before the officer issuing the employment certificate, who is hereby authorized and required to administer such oath and who shall not demand or receive a fee therefor. Such employment certificate shall not be issued until such child farther has personally appeared before and been examined by the officer issuing the certificate, and until such officer shall, after making such examination, sign and file in his office a statement that the child can read and legibly write simple sentences in the English language and that in his opinion the child is fourteen years of age or upwards and has reached the normal development of a child of its age, and is in sound health and is physically able to perform the work which it intends to do. In doubtful cases such *physical* fitness shall be determined by a medical officer of the board or department of health. Every such employment certificate shall be signed, in the presence of the officer issuing the same, by the child in whose name it is issued.

§ 2. Section seventy-three of said chapter, as amended by chapter one hundred and eighty-four of the laws of nineteen hundred and three, is hereby amended to read as follows:

§ 73. **School record, what to contain.**—The school record required by this article shall be signed by the principal or chief executive officer of the school which such child has attended and shall be furnished, on demand, to a child entitled thereto or to the board, department or commissioner of health. It shall contain a statement certifying that the child has regularly attended the public schools or schools equivalent thereto or parochial schools for not less than one hundred and thirty days during the [school year previous to his arriving at the age of fourteen years] *twelve months next preceding his fourteenth birthday*, or during the [year previous to applying] *twelve months next preceding his application* for such school record and is able to read and write simple sentences in the English language, and has received during such

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period instruction in reading, spelling, writing, English grammar and geography and is familiar with the fundamental operations of arithmetic up to and including fractions. Such school record shall also give the [age] *date of birth* and residence of the child as shown on the records of the school and the name of its parent or guardian or custodian.

§ 3. Section one hundred and sixty-three of said chapter, as amended by chapter two hundred and fifty-five of the laws of nineteen hundred and three and chapter five hundred and eighteen of the laws of nineteen hundred and five, is hereby amended to read as follows:

§ 163. **Employment certificate; how issued.**— Such certificate shall be issued by the commissioner of health or the executive officer of the board or department of health of the city, town or village where such child resides or is to be employed, or by such officer thereof as may be designated by such board, department or commissioner for that purpose, upon the application of the parent, guardian, or custodian of the child desiring such employment. Such officer shall not issue such certificate until he has received, examined, approved and filed the following papers duly executed [:], [(1)] *viz.:* The school record of such child properly filled out and signed as provided in this article [.]; [(2) A passport or duly attested transcript of the certificate of birth or baptism or other religious record, showing the date and place of birth of such child. A duly attested transcript of the birth certificate filed according to law with a registrar of vital statistics, or other officer charged with the duty of recording births shall be conclusive evidence of the age of such child. (3) The affidavit of the parent, guardian or custodian of a child, which shall be required, however, only in case such last-mentioned transcript of the certificate of birth be not produced and filed, showing the place and date of birth of such child, which affidavit must be taken before the officer issuing the employment certificate, who is hereby authorized and required to administer such oaths, and who shall not demand or receive a fee therefor. In case it shall appear to the satisfaction of the officer to whom application is made, as herein provided, for an employment certificate, that a child for whom such certificate is requested and who has presented the school record and affidavit above provided for, is in fact over fourteen years of age and that satisfactory documentary evidence of such age can be produced which does not fall within any of the provisions of subdivision two of this section, and that none of the papers mentioned in said subdivision exists or can be produced, then and not otherwise he shall present to the board of health of which he is an officer or agent for its action thereon, a statement signed by him showing such facts, together with such affidavits or papers as may have been produced before him constituting such evidence of the age of such child; and the board of health, at a regular meeting thereof, may then, in its discretion, in a proper case, by resolution, provide that such evidence of age shall be fully entered on the minutes of such board, and shall be received in place of the papers specified and required by subdivision two of this section. On due proof, in like manner, that a child who is a graduate of a public school of the state of New York or elsewhere having a course of not less than eight years, or of a school in the state of New York other than a public school, having a substantially equivalent course of study of not less than eight years' duration, and in which a record of the attendance of such child has been kept as required by the compulsory education law, and who pro-

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duces and files a certificate of graduation duly issued to him therefrom, and who is recorded in the school records as fourteen years of age, is unable to further produce the evidence of age required by subdivision two of this article, the board may, by resolution, permit the issuance to such child of an employment certificate and dispense with such evidence of age as is provided in said subdivision.] *also, evidence of age showing that the child is fourteen years old or upwards, which shall consist of the evidence thereof provided in one of the following subdivisions of this section and which shall be required in the order herein designated as follows:*

(a) Birth certificate.—A duly attested transcript of the birth certificate filed according to law with a registrar of vital statistics or other officer charged with the duty of recording births, which certificate shall be conclusive evidence of the age of such child.

(b) Certificate of graduation.—A certificate of graduation duly issued to such child showing that such child is a graduate of a public school of the state of New York or elsewhere, having a course of not less than eight years, or of a school in the state of New York other than a public school, having a substantially equivalent course of study of not less than eight years' duration, in which a record of the attendance of such child has been kept as required by the compulsory education law, provided that the record of such school shows such child to be at least fourteen years of age.

(c) Passport or baptismal certificate.—A passport or a duly attested transcript of a certificate of baptism showing the date of birth and place of baptism of such child.

(d) Other documentary evidence.— In case it shall appear to the satisfaction of the officer to whom application is made, as herein provided, for an employment certificate, that a child for whom such certificate is requested and who has presented the school record, is in fact over fourteen years of age, and that satisfactory documentary evidence of age can be produced, which does not fall within any of the provisions of the preceding subdivisions of this section, and that none of the papers mentioned in said subdivisions can be produced, then and not otherwise he shall present to the board of health of which he is an officer or agent, for its action thereon, a statement signed by him showing such facts together with such affidavits or papers as may have been produced before him constituting such evidence of the age of such child, and the board of health, at a regular meeting thereof, may then, by resolution, provide that such evidence of age shall be fully entered on the minutes of such board, and shall be received as sufficient evidence of the age of such child for the purpose of this section.

(e) Physicians' certificates.— In cities of the first class only, in case application for the issuance of an employment certificate shall be made to such officer by a child's parent, guardian or custodian who alleges his inability to produce any of the evidence of age specified in the preceding subdivisions of this section, and if the child is apparently at least fourteen years of age, such officer may receive and file an application signed by the parent, guardian or custodian of such child for physicians' certificates. Such application shall contain the alleged age, place and date of birth, and present residence of such child, together with such further facts as may be of assistance in determining the age of such child. Such application shall be filed for not less than ninety days after date of such application for such physicians' certificates, for an

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examination to be made of the statements contained therein, and in case no facts appear within such period or by such examination tending to discredit or contradict any material statement of such application, then and not otherwise the officer may direct such child to appear thereafter for physical examination before two physicians officially designated by the board of health, and in case such physicians shall certify in writing that they have separately examined such child and that in their opinion such child is at least fourteen years of age such officer shall accept such certificates as sufficient proof of the age of such child for the purposes of this section. In case the opinions of such physicians do not concur, the child shall be examined by a third physician and the concurring opinions shall be conclusive for the purpose of this section as to the age of such child. Such officer shall require the evidence of age specified in subdivision (a) in preference to that specified in any subsequent subdivision and shall not accept the evidence of age permitted by any subsequent subdivision unless he shall receive and file in addition thereto an affidavit of the parent showing that no evidence of age specified in any preceding subdivision or subdivisions of this section can be produced. Such affidavit shall contain the age, place and date of birth, and present residence of such child, which affidavit must be taken before the officer issuing the employment certificate, who is hereby authorized and required to administer such oath and who shall not demand or receive a fee therefor. Such employment certificate shall not be issued until such child shall further have personally appeared before and been examined by the officer issuing the certificate, and until such officer shall, after making such examination, sign and file in his office a statement that the child can read and legibly write simple sentences in the English language and that in his opinion the child is fourteen years of age or upwards and has reached the normal development of a child of its age, and is in sound health and is physically able to perform the work which it intends to do. In doubtful cases such physical fitness shall be determined by a medical officer of the board or department of health. Every such employment certificate shall be signed, in the presence of the officer issuing the same, by the child in whose name it is issued.

§ 4. Section one hundred and sixty-five of said chapter, as amended by chapter two hundred and fifty-five of the laws of nineteen hundred and three, is hereby amended to read as follows:

§ 165. **School record, what to contain.**— The school record required by this article shall be signed by the principal or chief executive officer of the school which such child has attended and shall be furnished on demand to a child entitled thereto or to the board, department or commissioner of health. It shall contain a statement certifying that the child has regularly attended the public schools or schools equivalent thereto or parochial schools for not less than one hundred and thirty days during the [school year previous to his arriving at the age of fourteen years] *twelve months next preceding his fourteenth birthday,* or during the [year previous to applying] *twelve months next preceding his application* for such school record and is able to read and write simple sentences in the English language, has received during such period instruction in reading, spelling, writing, English grammar and geography and is familiar with the fundamental operations of arithmetic up to and including fractions. Such school record shall also give the [age] *date of birth* and residence of the child as shown on the records of the school and the name of its parents or guardian or custodian.

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§ 5. This act shall take effect October first, nineteen hundred and seven.
Approved May 6, 1907.

CHAPTER 297.

AN ACT to amend chapter eight hundred and twenty-three of the laws of eighteen hundred and ninety-five, entitled "An act to regulate barbering on Sunday," in relation to the application of such act to Saratoga Springs.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section one of chapter eight hundred and twenty-three of the laws of eighteen hundred and ninety-five, entitled "An act to regulate barbering on Sunday," is hereby amended to read as follows:

Section 1. Any person who carries on or engages in the business of shaving, hair cutting or other work of a barber on the first day of the week, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not more than five dollars; and upon a second conviction for a like offense shall be fined not less than ten dollars and not more than twenty-five dollars, or be imprisoned in the county jail for a period of not less than ten days, nor more than twenty-five days, or be punishable by both such fine and such imprisonment at the discretion of the court or magistrate; provided, that in [the city of New York and] the village of Saratoga Springs, *from the fifteenth day of June to the fifteenth day of September, inclusive, and in the city of New York throughout the year,* barber shops or other places where a barber is engaged in shaving, hair cutting or other work of a barber, may be kept open, and the work of a barber may be performed therein until one o'clock of the afternoon of the first day of the week.

§ 2. This act shall take effect immediately.
Approved May 6, 1907.

CHAPTER 399.

AN ACT to amend the labor law, relative to inspection of mines, tunnels and quarries.

Section 1. Sections one hundred and twenty, one hundred and twenty-one, one hundred and twenty-two, one hundred and twenty-three, one hundred and twenty-four, one hundred and twenty-five, one hundred and twenty-six, one hundred and twenty-seven, one hundred and twenty-eight and one hundred and twenty-nine of chapter four hundred and fifteen of the laws of eighteen hundred and ninety-seven, entitled "An act in relation to labor, constituting chapter thirty-two of the general laws," are hereby amended to read as follows:

§ 120. **Duties of [factory inspector]** *commissioner of labor* **relating to mines, [;]** *tunnels and quarries;* **record and report.**— The [factory inspector] *commissioner of labor* shall see that every necessary precaution is taken to insure the safety and health of employees employed in the mines and quarries *and in the construction of tunnels* of the state and shall prescribe rules and regulations therefor; keep a record of the names and location of such mines, *tunnels* and quarries, and the names of the persons or corporations owning or operating the same; collect data concerning the work-

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ing thereof; examine carefully into the method of timbering shafts, drifts, inclines, slopes and tunnels, through which employees and other persons pass, in the performance of their daily labor, and see that the persons or corporations owning and operating such mines, and quarries *and constructing tunnels* comply with the provisions of this chapter; and such information shall be furnished by the person operating such mine, *tunnel* or quarry, upon demand of the [factory inspector] *commissioner of labor.* The [factory inspector] *commissioner of labor* shall keep a record of all mine, *tunnel* and quarry examinations, showing the date thereof, and the condition in which the mines, *tunnels* and quarries are found, and the manner of working the same. He shall make an annual report to the legislature during the month of January, containing a statement of the number of mines, *tunnels* and quarries visited, the number in operation, the number of men employed, and the number and cause of accidents, fatal and non-fatal, that may have occurred in and about the same.

§ 121. **Outlets of mines.**— If, in the opinion of the [factory inspector,] *commissioner of labor* it is necessary for safety of employees, the owner, operator or superintendent of a mine, operating through either a vertical or [oblique] *inclined* shaft, or a horizontal tunnel, shall not employ any person therein unless there are in connection with the subterranean workings thereof not less than two openings or outlets, at least one hundred and fifty feet apart, and connected with each other. Such openings or outlets shall be so constructed as to provide safe and distinct means of ingress and egress from and to the surface, at all times, for the use of the employees of such mine.

§ 122. **Ventilation and timbering of mines.**— In each mine *or tunnel* a ventilating current shall be conducted and circulated along the face of all working places and through the roadways, in sufficient quantities to insure the safety of employees and remove smoke and noxious gases. Each owner, agent, manager or lessee of a mine *or tunnel* shall cause it to be properly timbered, and the roof and sides of each working place therein properly secured. No person shall be required or permitted to work in an unsafe place or under dangerous material, except to make it secure.

§ 123. **Riding on loaded cars; storage of inflammable supplies.**— No person shall ride or be permitted to ride on any loaded car, cage or bucket into or out of a mine *or tunnel in process of construction.* No powder or oils of any description shall be stored in a mine, *tunnel* or quarry, or in or around shafts, engine or boiler houses, and all supplies of an inflamable and destructive nature shall be stored at a safe distance from the mine *or tunnel* openings.

§ 124. **Inspection of steam boilers and apparatus; steam, *air* and water gauges.**—All boilers used in generating steam for mining *or tunneling* purposes shall be kept in good order, and the owner, agent, manager or lessee of such mine *or tunnel* shall have such boilers inspected by a competent person, approved by the [factory inspector,] *commissioner of labor,* once in six months, and shall file a certificate showing the result thereof in the mine *or tunnel* office and a duplicate thereof in the office of the [factory inspector] *commissioner of labor.* All engines, brakes, cages, buckets, ropes and chains shall be kept in good order and inspected daily by the superintendent of the mine *or tunnel* or a person designated by him. *All lifts, hoists, ropes and other mechanical devices shall be properly designed and maintained to sustain the weight intended to be placed thereon or suspended therefrom, such factors*

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of safety being used as are generally accepted as sufficient by competent engineers, and all cars and lifts shall be supplied with safety brakes. All hoisting ropes shall at all times be of a breaking strength of not less than five times the gross load suspended from them, including weight of rope itself. Each boiler or [nest] *battery* of boilers used in mining *or tunneling* for generating steam, shall be provided with a proper safety valve and with steam and water gauges, to show, respectively, the pressure of steam and the height of water in the boilers. Every boiler-house in which a boiler or nest of boilers is placed, shall be provided with a steam gauge properly connected with the boilers, and another steam gauge shall be attached to the steam pipe in the engine-house, and so placed that the engineer or fireman can readily ascertain the pressure carried. *Every tunnel in which men are working under artificial air pressure shall be furnished with properly equipped and placed gauges capable at all times of showing the weight or pressure of air in said tunnel, and said gauge shall at all times during working hours be accessible to all persons working on said tunnel.*

§ 125. **Use of explosives; blasting.**— When high explosives other than gunpowder are used in a mine, *tunnel* or quarry, the manner of storing, keeping, moving, charging and firing, or in any manner using such explosives, shall be in accordance with rules prescribed by the [factory inspector] *commissioner of labor.* In charging holes for blasting, in slate, rock or ore in any mine, *tunnel* or quarry, no iron or steel pointed needle or tamping bar shall be used, unless the end thereof is tipped with at least six inches of copper or other soft material. No person shall be employed to blast unless the mine *or tunnel* superintendent or person having charge of such mine *or tunnel,* is satisfied that he is qualified, by experience, to perform the work with ordinary safety. When a blast is about to be fired in a mine *or tunnel* timely notice thereof shall be given by the person in charge of the work, to all persons who may be in danger therefrom.

§ 126. **Report of accidents.**— Whenever loss of life or [serious] *an* accident *causing an injury incapacitating any person for work,* shall occur in the operation of a mine, *tunnel* or quarry, the owner, agent, manager or lessee thereof shall immediately report, in writing, all the facts connected therewith to the [factory inspector] *commissioner of labor.*

§ 127. **Notice of dangerous condition.**— If the [factory inspector,] *commissioner of labor,* after examination or otherwise, is of the opinion that a mine *or tunnel,* or anything used in the operation thereof, is unsafe, he shall immediately serve a written notice, specifying the defects, upon the owner, agent, manager or lessee, who shall forthwith remedy the same.

§ 128. **Enforcement of article.**— The [factory inspector] *commissioner of labor* may serve a written notice upon the owner, agent, manager or lessee of a mine *or tunnel* requiring him to comply with a specified provision of this article. The [factory inspector] *commissioner of labor shall* [may thereafter] begin an action in the supreme court to enforce compliance with such provision; and upon such notice as the court directs, an order may be granted, restraining the working of such mine *or tunnel* during such time as may be therein specified.

§ 129. **Admission of inspectors to mines** *and tunnels.*—The owner, agent, manager or lessee of a mine *or tunnel,* at any time, either day or night, shall admit to such mine *or tunnel* or any building used in the operation thereof,

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the [factory inspector] *commissioner of labor* or any *qualified* person duly authorized by him, for the purpose of making the examinations and inspections necessary for the enforcement of this article, and shall render any necessary assistance for such inspections.

§ 2. Article nine of said chapter is hereby amended by adding thereto three new sections to be sections one hundred and thirty-four and one hundred and thirty-five and one hundred and thirty-six and to read respectively as follows:

§ 134. *Underground workings to be equipped with head house and doors.— Every underground working where the depth exceeds forty feet shall be equipped with a proper head house and trapdoors.*

§ 135. *Mines and tunnels to be equipped with washrooms.— Every mine, tunnel or quarry employing over twenty-five men shall maintain a suitably equipped and heated washroom, which shall be at all times accessible to the men employed.*

§ 136. *Method of exploding blasts.— No blast shall be exploded by an electric current of more than two hundred and fifty volts.*

§ 3. Nothing in this act contained shall be construed to affect, limit or vary any liability which has accrued prior to the passage of this act.

§ 4. This act shall take effect immediately.

Approved June 3, 1907.

CHAPTER 418.

AN ACT to amend the labor law, relative to confectioneries.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section one hundred and eleven of chapter four hundred and fifteen of the laws of eighteen hundred and ninety-seven, entitled "An act in relation to labor, constituting chapter thirty-two of the general laws," as amended by chapter four hundred and one of the laws of nineteen hundred and six, is hereby amended to read as follows:

§ 111. **Drainage and plumbing of buildings and rooms occupied by bakeries.** —All buildings or rooms occupied as biscuit, bread, macaroni, spaghetti, pie or cake bakeries, shall be drained and plumbed in a manner conducive to the proper and healthful sanitary condition thereof, and shall be constructed with air shafts, windows or ventilating pipes, sufficient to insure adequate and proper ventilation. No cellar or basement, shall be occupied or used, as a bakery, unless the proprietor shall comply with the provisions of this article, except that any cellar or basement less than eight feet in height which was used for a bakery on the second day of May, eighteen hundred and ninety-five, need not be altered to conform to the provision with respect to height of rooms. Basements or cellars used as confectionery and ice cream manufacturing shops, shall be not less than seven feet in height [.] *; except that any cellar or basement more than six feet in height which was used as a confectionery or ice cream manufacturing shop before October first nineteen hundred and six, need not be altered to conform with this provision.*

§ 2. This act shall take effect immediately.

Approved June 5, 1907.

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CHAPTER 421.

AN ACT to amend chapter three hundred of the laws of nineteen hundred and four, entitled "An act to revise and consolidate the several acts relative to the city of Niagara Falls," in relation to the establishment of an industrial commission for said city.

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§ 572. The powers and duties of said board of industrial commissioners shall be as follows: To employ on behalf of said city an industrial agent, hereinafter provided for; to superintend and direct his duties; to gather information and data referring to the industrial and commercial conditions of said city; to see that the same are properly tabulated and arranged so that ready reference thereto may be had by the public and other departments of the city; to have such data and information printed in proper form so that the same may be circulated among the public at large; to impartially and promptly afford information concerning the general industrial and commercial conditions and advantages in said city to all persons, firms and corporations making inquiry in regard to the same; to hire such necessary assistance for the municipal industrial agent as he shall request and nominate, subject to the approval of the board of estimate and apportionment; to keep the offices of said board open and the records of said board accessible to all persons and authorities from nine in the morning to four in the afternoon each day of the week, Sundays and holidays excepted, and on such additional hours of said days as said board of industrial commissioners may determine; to inquire into shipping rates and all other facts and conditions tending to advance or retard the commercial and industrial interests and development of said city, and to report the facts relating thereto, and to recommend action thereon to the various boards and departments of said city within whose jurisdiction the taking of such recommended action would properly come. Said board shall meet at least bi-monthly, at such times and in such place or places in said city as said board may determine.

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Approved and in effect June 5, 1907.

CHAPTER 425.

AN ACT to amend chapter five hundred and eighty of the laws of nineteen hundred and two, entitled "An act in relation to the municipal court of the city of New York, its officers and marshals," relating to actions by wage earners.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section two hundred and seventy-four of chapter five hundred and eighty of the laws of nineteen hundred and two, entitled "An act in relation to the municipal court of the city of New York, its officers and marshals," is hereby amended to read as follows:

§ 274. **Judgment in favor of wage earners.**— In an action, brought in the municipal court, by a journeyman, laborer, or other employee whose employment answered to the general description of wage earner, for services ren-

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dered or wages earned in such capacity, if the plaintiff recovers a judgment for a sum not exceeding fifty dollars, exclusive of costs, and the action shall have been brought within [one] *two* months after the cause of action accrued, no property of the defendant is exempt from levy and sale by virtue of an execution against property, issued thereupon; and, if such an execution is returned wholly or partly unsatisfied, the clerk must, upon the application of the plaintiff, issue an execution against the person of the defendant for the sum remaining uncollected, if the indorsement required by this act to the effect that defendant was liable to arrest was complied with. A defendant arrested by virtue of an execution so issued against his person, must be actually confined in the jail, and is not entitled to the liberties thereof; but he must be discharged after having been so confined for fifteen days. After his discharge another execution against his person cannot be issued upon the judgment, but the judgment creditor may enforce the judgment against property as if the execution, from which the judgment debtor is discharged, has been returned, without his being taken.

§ 2. This act shall take effect September first, nineteen hundred and seven.

Approved June 5, 1907.

CHAPTER 429.

AN ACT to establish the public service commissions and prescribing their powers and duties, and to provide for the regulation and control of certain public service corporations and making an appropriation therefor.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

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§ 47. **Investigation of accidents.**— Each commission shall investigate the cause of all accidents on any railroad or street railroad within its district which result in loss of life or injury to persons or property, and which in its judgment shall require investigation. Every common carrier, railroad corporation and street railroad corporation is hereby required to give immediate notice to the commission of every accident happening upon any line of railroad or street railroad owned, operated, controlled or leased by it, within the territory over which such commission has jurisdiction in such manner as the commission may direct. Such notice shall not be admitted as evidence or used for any purpose against such common carrier, railroad corporation or street railroad corporation giving such notice in any suit or action for damages growing out of any matter mentioned in said notice.

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§ 66. **General powers of commissions in respect to gas and electricity.**— Each commission shall within its jurisdiction:

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2. * * have power to order such improvements as will best * * * protect those using such gas or electricity and those employed in the manufacture and distribution thereof, or in the maintenance and operation of the works, wires, poles, lines, conduits, ducts and systems maintained in connection therewith.

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CHAPTER 463.

AN ACT to amend chapter four hundred and eighty-eight of the laws of eighteen hundred and ninety-nine, entitled "An act authorizing the sale of property left in street surface railroad cars, and the disposition of the proceeds thereof," relative to cabs, coaches, stages and other similar vehicles.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section one of chapter four hundred and eighty-eight of the laws of eighteen hundred and ninety-nine, entitled "An act authorizing the sale of property left in street surface railroad cars, and the disposition of the proceeds thereof," is hereby amended to read as follows:

Section 1. It shall be the duty of every street surface railway corporation doing business in this state, *and of every corporation engaged in this state in the business of carrying passengers for hire in cabs, coaches, or other similar vehicles or of letting such vehicles for hire, or in the business of operating a line of stages or omnibuses,* which shall have unclaimed property left in its cars, *cabs, coaches, stages or other similar vehicles,* to ascertain if possible, the owner or owners of such property, and to notify such owner or owners of the fact by mail as soon as possible, after such property comes into its possession. Every such corporation which shall have such property not perishable, in its possession for the period of three months, may sell the same at public auction, after giving notice to that effect, by one publication, at least ten days prior to the sale, in a daily newspaper published in the city or village in which such sale is to take place, of the time and place at which such sale will be held, and such sale may be adjourned from time to time until all the articles offered for sale are sold. All perishable property so left, may be sold by any such [street surface railroad] corporation without notice, as soon as it can be, upon the best terms that can be obtained.

§ 2. Section two of said act is hereby amended to read as follows:

§ 2. All moneys arising from the sale of any such unclaimed property, after deducting charges for storage and expenses of sale, shall be paid by any such corporation to the treasurer of any association, cómposed of the employees of such [street railroad] corporation, having for its object the pecuniary assistance of its members in case of disability caused by sickness or accident, for the use and benefit of such association and its members; and where no such association of the employees of any such [street railroad] corporation is in existence at the time of any such sale, such moneys shall be paid over to the county treasurer of the county *or if in a city, to the chief fiscal officer thereof,* in which such sale took place for the benefit of such *city or* county.

§ 3. All acts and parts of acts inconsistent with the foregoing provisions are hereby repealed.

§ 4. This act shall take effect immediately.

Approved June 10, 1907.

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CHAPTER 485.

AN ACT to amend the labor law, relative to providing wash-rooms in foundries.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section eighty-eight of chapter four hundred and fifteen of the laws of eighteen hundred and ninety-seven, entitled "An act in relation to labor, constituting chapter thirty-two of the general laws," as amended by chapter three hundred and six of the laws of nineteen hundred and one, is hereby amended to read as follows:

§ 88. **Wash-room and water-closets.**— Every factory shall contain a suitable, convenient and separate water-closet or water-closets for each sex, which shall be properly screened, ventilated, and kept clean and free from all obscene writing or marking; and also, a suitable and convenient wash-room. The water-closets used by women shall have separate approaches. Inside closets shall be maintained whenever practicable and in all cases when required by the commissioner of labor. When women or girls are employed, a dressing-room shall be provided for them, when required by the commissioner of labor. *In all brass and iron foundries there shall be provided and maintained for the use of employees, suitable washrooms with proper water service, and suitable provision for drying of the working clothes of persons using the same.*

§ 2. This act shall take effect October first, nineteen hundred and seven.

Approved June 11, 1907.

CHAPTER 490.

AN ACT to amend the labor law, relative to ventilation of factories.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section eighty-six of chapter four hundred and fifteen of the laws of eighteen hundred and ninety-seven, entitled "An act in relation to labor, constituting chapter thirty-two of the general laws," is hereby amended to read as follows:

§ 86. **Ventilation.**—The owner, agent or lessee of a factory shall provide, in each workroom thereof, proper and sufficient means of ventilation, *and shall maintain proper and sufficient ventilation; if excessive heat be created or if steam, gases, vapors, dust or other impurities that may be injurious to health be generated in the course of the manufacturing process carried on therein the room must be ventilated in such a manner as to render them harmless, so far as is practicable;* in case of failure the *commissioner of labor* [factory inspector] shall order such ventilation to be provided. Such owner, agent or lessee shall provide such ventilation within twenty days after the service upon him of such order, and in case of failure, shall forfeit to the people of the state, ten dollars for each day after the expiration of such twenty days, to be recovered by the *commissioner of labor.* [factory inspector, in his name of office.]

§ 2. This act shall take effect October first, nineteen hundred and seven.

Approved June 11, 1907.

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CHAPTER 505.

AN ACT to amend the labor law and repeal chapter nine of the laws of nineteen hundred and one, relative to the organization of the department of labor.

Section 1. Chapter four hundred and fifteen of the laws of eighteen hundred and ninety-seven, entitled "An act in relation to labor, constituting chapter thirty-two of the general laws," is hereby amended by inserting between articles one and two thereof a new article to be numbered article two and to read as follows:

ARTICLE II.

Department of labor.

Section 30. Commissioner of labor.
31. Deputy commissioners.
32. Bureaus.
33. Powers.
34. Salaries and expenses.
35. Sub-offices.
36. Reports.
37. Old records.

Section 30 Commissioner of labor.— There shall continue to be a department of labor the head of which shall be the commissioner of labor who shall be appointed by the governor by and with the advice and consent of the senate and who shall hold office for a term of four years beginning on the first day of January of the year in which he is appointed. He shall receive an annual salary of five thousand dollars. He shall appoint all officers, clerks and other employees in the department of labor. Wherever the title of factory inspector is used in article one of this chapter or the title of commissioner of labor statistics in article four thereof it shall be construed to mean the commissioner of labor.

§ 31. Deputy commissioners.— The commissioner of labor shall forthwith upon entering upon the duties of his office appoint and may at pleasure remove two deputy commissioners of labor, who shall receive such annual salaries, not to exceed three thousand dollars each, as may be appropriated therefor. The powers hereinafter conferred upon the first and second deputy commissioners shall not include the appointment of officers, clerks or other employees in any of the bureaus of the department of labor.

§ 32. Bureaus.— The department of labor shall be divided into three bureaus as follows: factory inspection, labor statistics and mediation and arbitration.

§ 33. Powers.— Subdivision 1. The commissioner of labor, his deputies and their assistants and each special agent and deputy factory inspector may administer oaths and take affidavits in matters relating to the provisions of this chapter.

Subd. 2. No person shall interfere with, obstruct or hinder by force or otherwise the commissioner of labor, his deputies, their assistants or the special agents or deputy factory inspectors while in the performance of their

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duties, or refuse to properly answer questions asked by such officers pertaining to the provisions of this chapter, or refuse them admittance to any place where and when labor is being performed which is affected by the provisions of this chapter.

Subd. 3. All notices, orders and directions of deputies, assistants, special agents and deputy factory inspectors given in accordance with this chapter are subject to the approval of the commissioner of labor. And all acts, notices, orders, permits and directions by any provisions of this chapter directed to be performed or given by the factory inspector, chairman of the board of mediation and arbitration or other officer of the department of labor may be performed or given by and in the name of the commissioner of labor and by any officer of the department thereunto duly authorized by such commissioner in the name of such commissioner.

Subd. 4. The commissioner of labor may procure and cause to be used badges for himself and his subordinates in the department of labor while in the performance of their duties.

§ 34. Salaries and expenses.— All necessary expenses incurred by the commissioner of labor in the discharge of his duties shall be paid by the state treasurer upon the warrant of the comptroller issued upon proper vouchers therefor. The reasonable and necessary traveling and other expenses of the deputy commissioners, their assistants, the special agents and statisticians, the deputy factory inspectors and other field officers of the department while engaged in the performance of their duties shall be paid in like manner upon vouchers approved by the commissioner of labor and audited by the comptroller.

§ 35. Sub-offices.— The commissioner of labor may establish and maintain a sub-office in any city of the first class if in his opinion it be necessary. He may designate any one or more of his subordinates to take charge of and manage any such office, subject to his direction. The reasonable and necessary expenses of such office shall be paid as are other expenses of the commissioner of labor.

§ 36. Reports.— The commissioner of labor shall report annually to the legislature.

§ 37. Old records.— All statistics furnished to and all complaints, reports and other documentary matter received by the commissioner of labor pursuant to this chapter or any act repealed or superseded thereby may be destroyed by such commissioner after the expiration of six years from the time of the receipt thereof.

§ 38. Counsel.— The commissioner of labor may employ counsel in the department of labor to represent the department or to assist in the prosecution of actions or proceedings brought under the provisions of this chapter. Such counsel shall receive such compensation as may otherwise be provided by law.

§ 2. Article two of said chapter is hereby renumbered article three and amended to read as follows:

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ARTICLE [II] *III.*

Bureau [Commissioner] of Labor Statistics.

Section [30] *40. Bureau* [Commissioner] of labor statistics.
[31] *41.* Duties and powers.
[32] *42.* Statistics to be furnished upon request.

§ [30] *40. Bureau* [Commissioner] of labor statistics.— There shall continue to be a *bureau* [commissioner] of labor statistics, *which shall be under the immediate charge of a chief statistician, but subject to the direction and supervision of the commissioner of labor.* [who shall be appointed by the governor, by and with the advice and consent of the senate and shall hold his office for the term of three years, and receive an annual salary of three thousand dollars. He may appoint a deputy commissioner of labor statistics, at an annual salary of two thousand and five hundred dollars, and a chief clerk at an annual salary of two thousand dollars, and such other clerks and assistants as he may deem necessary and fix their salaries. The term of office of the successor of the commissioner in office when this chapter takes effect is abridged so as to expire on the last day of December preceding the time when such term would otherwise expire, and thereafter the term of office of such commissioner shall begin on the first day of January.]

§ [31] *41.* Duties and powers.— The commissioner of labor [statistics] shall collect, assort, systematize and present in annual reports to the legislature, [within ten days after the convening thereof in each year,] statistical details in relation to all departments of labor in the state, especially in relation to the commercial, industrial, social and sanitary condition of workingmen and to the productive industries of the state. He may subpœna witnesses, take and hear testimony, take or cause to be taken depositions and administer oaths.

§ [32] *42.* Statistics to be furnished upon request.— The owner, operator, manager or lessee of any mine, factory, workshop, warehouse, elevator, foundry, machine shop or other manufacturing establishment, or any agent, superintendent, subordinate, or employee thereof, *and any person employing or directing any labor affected by the provisions of this chapter,* shall, when requested by the commissioner of labor [statistics], furnish any information in his possession or under his control which the commissioner is authorized to require, and shall admit him to any place *where labor is carried on which is affected by the provisions of this chapter* [herein named] for the purpose of inspection. All statistics furnished to the commissioner of labor [statistics], pursuant to this article, may be destroyed by such commissioner after the expiration of two years from the time of the receipt thereof. A person refusing to admit such commissioner, or a person authorized by him, to any such establishment, or to furnish him any information requested, or who refuses to answer or untruthfully answers questions put to him by such commissioner, in a circular or otherwise, shall forfeit to the people of the state the sum of one hundred dollars for each refusal [and] *or untruthful* answer [untruthfully] given, to be sued for and recovered by the commissioner in his name of office. The amount so recovered shall be paid in to the state treasury.

§ 3. Article five of said chapter, as amended by chapter one hundred and ninety-two of the laws of eighteen hundred and ninety-nine, is hereby amended to read as follows:

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ARTICLE V.

Bureau of Factory Inspection. [Factory Inspector, Assistant and Deputies.]

Section 60. Factory inspector [and assistant].
61. Deputies [and clerks].
62. General powers and duties [of factory inspector].
63. Reports.
[64. Badges.]
[65. Payment of salaries and expenses.]
[66. Sub-office in New York city.]
67. Duties [of factory inspector] relative to apprentices.
68. Laws to be posted.

§ 60. **Factory inspector.**— [and assistant. There shall continue to be a factory inspector and assistant factory inspector, who shall be appointed by the governor, by and with the advice and consent of the senate. The term of office of each shall be three years. The term of office of the successor of the factory inspector and assistant factory inspector in office when this chapter takes effect shall be abridged so as to expire on the last day of December preceding the time when each such term would otherwise expire, and thereafter each such term shall begin on the first day of January. There shall be paid to the factory inspector an annual salary of three thousand dollars, and to the assistant factory inspector an annual salary of two thousand five hundred dollars.] *There shall continue to be a bureau of factory inspection. The first deputy commissioner of labor shall be the factory inspector of the state and in immediate charge of this bureau, but subject to the direction and supervision of the commissioner of labor.*

§ 61. **Deputies [and clerks].**— The *commissioner of labor* [factory inspector] may appoint from time to time not more than *sixty* [fifty] persons as deputy factory inspectors, not more than ten of whom shall be women, and who may be removed by him at any time. *The deputy factory inspectors may be divided into three grades, but not more than five shall be of the third grade.* Each deputy inspector *of the first grade* shall receive an annual salary of one thousand [two hundred] dollars, *each of the second grade an annual salary of one thousand two hundred dollars and each of the third grade an annual salary of one thousand five hundred dollars.* [The factory inspector may designate six or more of such deputies to inspect the buildings and rooms occupied and used as bakeries and to enforce the provisions of this chapter relating to the manufacture of flour or meal food products. One of such deputies shall have a knowledge of mining, whose duty it shall be, under the direction of the factory inspector, to inspect mines and quarries and to enforce the provisions of this chapter relating thereto. The factory inspector may appoint one or more of such deputies to act as clerk in his principal office.]

§ 62. **General powers and duties [of the factory inspector].**— *Subdivision 1. The commissioner of labor* [factory inspector] may divide the state into districts, assign one or more deputy factory inspectors to each district, and may in his discretion transfer them from one district to another; *he may assign any of them to inspect any special class or classes of factories or to enforce any special provisions of this chapter; and he may assign any one or more of them to act as clerks in any office of the department.*

Subd. 2. The commissioner of labor may authorize any deputy commissioner or assistant and any special agent or inspector in the department of

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labor to act as a deputy factory inspector with the full power and authority thereof.

Subd. 3. The commissioner of labor, the first deputy commissioner of labor and his assistant or assistants and every deputy or acting deputy factory inspector may in the discharge of his duties enter any place, building or room where and when any labor is being performed which is affected by the provisions of this chapter, and may enter any factory whenever he may have reasonable cause to believe that any such labor is being performed therein.

Subd. 4. The commissioner of labor [factory inspector] shall visit and inspect or cause to be visited and inspected the factories, during reasonable hours, as often as practicable, and shall cause the provisions of this chapter to be enforced therein [, and prosecute all persons violating the same.]

Subd. 5. Any lawful municipal ordinance, by-law or regulation relating to factories, in addition to the provisions of this chapter and not in conflict therewith, *may* [shall] be observed and enforced by the commissioner of labor. [The factory inspector, assistant and each deputy may administer oaths and take affidavits in matters relating to the enforcement of the provisions of this chapter.]

[No person shall interfere with, obstruct or hinder, by force or otherwise, the factory inspector, assistant factory inspector or deputies while in the performance of their duties, or refuse to properly answer questions asked by such officers pertaining to the provisions of this chapter.]

[All notices, orders and directions of assistants or deputy factory inspectors given in accordance with this chapter are subject to the approval of the factory inspector.]

§ 63. **Reports.**— The *commissioner of labor* [factory inspector] shall *make an annual* report [annually] to the legislature *of the operation of this bureau.* [in the month of January. The assistant factory inspector and each deputy shall report to the factory inspector, from time to time, as he may require.]

[§ 64. **Badges.**— The factory inspector may procure and cause to be used, badges for himself, his assistant and deputies, while in the performance of their duties, the cost of which shall be a charge upon the appropriation made for the use of the department.]

[§ 65. **Payment of salaries and expenses.**— All necessary expenses incurred by the factory inspector in the discharge of his duties, shall be paid by the state treasurer upon the warrant of the comptroller, issued upon proper vouchers therefor. The reasonable necessary traveling and other expenses of the assistant factory inspector and deputy factory inspectors, while engaged in the performance of their duties, shall be paid in like manner upon vouchers approved by the factory inspector and audited by the comptroller. All such expenses and the salaries of the factory inspector, assistant and deputies shall be payable monthly.]

[§ 66. **Sub-office in New York city.**— The factory inspector may establish and maintain a sub-office in the city of New York, if, in his opinion, the duties of his office demand it. He may designate one or more of the deputy factory inspectors to take charge of and manage such office, subject to his direction. The reasonable and necessary expenses of such office shall be paid, as are other expenses of the factory inspector.]

§ 67. **Duties [of factory inspector] relative to apprentices.**— The *commissioner of labor* [factory inspector, his assistant and deputies] shall enforce

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the provisions of the domestic relations law, relative to indenture of apprentices, and prosecute employers for failure to comply with the provisions of such indentures and of such law in relation thereto.

§ *68. Laws to be posted.— A copy or abstract of the provisions of this chapter applicable thereto, to be prepared and furnished by the commissioner of labor, shall be kept posted by the employer in a conspicuous place on each floor of every factory where persons are employed who are affected by the provisions thereof.*

§ 4. Article ten of said chapter is hereby amended to read as follows:

ARTICLE X.

Bureau [State Board] of Mediation and Arbitration.

Section *140. Chief mediator.*
141. Mediation and investigation.
[140] *142. Board of mediation and arbitration.* [Organization of board.]
[141. Secretary and his duties.]
[142] *143.* Arbitration by the board.
[143. Mediation in case of strike or lockout.]
144. Decisions of board.
145. Annual report.
146. Submission of controversies to local arbitrators.
147. Consent; oath; powers of arbitrators.
148. Decision of arbitrators.
[149. Appeals.]

§ *140. Chief mediator.— There shall continue to be a bureau of mediation and arbitration. The second deputy commissioner of labor shall be the chief mediator of the state and in immediate charge of this bureau, but subject to the supervision and direction of the commissioner of labor.*

§ *141. Mediation and investigation.— Whenever a strike or lockout occurs or is seriously threatened an officer or agent of the bureau of mediation and arbitration shall, if practicable, proceed promptly to the locality thereof and endeavor by mediation to effect an amicable settlement of the controversy. If the commissioner of labor deems it advisable the board of mediation and arbitration may proceed to the locality and inquire into the cause thereof, and for that purpose shall have all the powers conferred upon it in the case of a controversy submitted to it for arbitration.*

§ *142.* [140. **Organization of board.**] *Board of mediation and arbitration.*— There shall continue to be a state board of mediation and arbitration, *which shall consist of the chief mediator and two other officers of the department of labor to be from time to time designated by the commissioner of labor. The chief mediator when present shall be the chairman of the board.* [consisting of three competent persons to be known as arbitrators, appointed by the governor, by and with the advice and consent of the senate, each of whom shall hold his office for the term of three years, and receive an annual salary of three thousand dollars. The term of office of the successors of the members of such board in office when this chapter takes effect, shall be abridged so as to expire on the thirty-first day of December preceding the time when each such term would otherwise expire, and thereafter each term shall begin on the first day of January. One member of such board

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shall belong to the political party casting the highest, and one to the party casting the next highest number of votes for governor at the last preceding gubernatorial election. The third shall be a member of an incorporated labor organization of this state.] Two members of such board shall constitute a quorum for the transaction of business, and may hold meetings at any time or place within the state. Examinations or investigations ordered by the board may be held and taken by and before any of their number, if so directed, but a decision rendered in such a case shall not be deemed conclusive until approved by the board.

[§ 141. **Secretary and his duties.**— The board shall appoint a secretary, whose term of office shall be three years. He shall keep a full and faithful record of the proceedings of the board, and all documents and testimony forwarded by the local boards of arbitration, and shall perform such other duties as the board may prescribe. He may, under the direction of the board, issue subpœnas and administer oaths in all cases before the board, and call for and examine books, papers and documents of any parties to the controversy. He shall receive an annual salary of two thousand dollars, payable in the same manner as that of the members of the board.]

§ *143.* [142.] **Arbitration by the board.**—A grievance or dispute between an employer and his employees may be submitted to the board of arbitration and mediation for their determination and settlement. Such submission shall be in writing, and contain a statement in detail of the grievance or dispute and the cause thereof, and also an agreement to abide the determination of the board, and during the investigation to continue in business or at work, without a lockout or strike. Upon such submission, the board shall examine the matter in controversy. For the purpose of such inquiry they may subpœna witnesses, compel their attendance, [and] take and hear testimony, [.] *and call for and examine books, papers and documents of any parties to the controversy. Subpœnas shall be issued by the chairman under the seal of the department of labor.* Witnesses shall be allowed the same fees as in courts of record. The decision of the board must be rendered within ten days after the completion of the investigation.

[§ 143. **Mediation in case of strike or lockout.**— Whenever a strike or lockout occurs or is seriously threatened, the board shall proceed as soon as practicable to the locality thereof, and endeavor by mediation to effect an amicable settlement of the controversy. It may inquire into the cause thereof, and for that purpose has the same power as in the case of a controversy submitted to it for arbitration.]

§ 144. **Decisions of board.**— Within ten days after the completion of every [examination or investigation authorized by this article,] *arbitration,* the board or a majority thereof shall render a decision, stating such details as will clearly show the nature of the controversy and the points disposed of by them, and make a written report of their findings of fact and of their recommendations to each party of the controversy. Every decision and report shall be filed in the office of the board and a copy thereof served upon each party to the controversy. [, and in case of a submission to arbitration, a copy shall be filed in the office of the clerk of the county or counties where the controversy arose.]

§ 145. **Annual report.**— The [board] *commissioner of labor* shall make an annual report to the legislature *of the operations of this bureau.* [and shall include therein such statements and explanations as will disclose the actual

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work of the board, the facts relating to each controversy considered by them and the decision thereon, together with such suggestions as to legislation as may seem conducive to harmony in the relations of employers and employees.]

§ 146. **Submission of controversies to local arbitrators.**—A grievance or dispute between an employer and his employees may be submitted to a board of arbitrators, consisting of three persons, for hearing and settlement. When the employees concerned are members in good standing of a labor organization, [which is represented by one or more delegates in a central body,] one arbitrator may be appointed by such [central body] *organization* and one by the employer. The two so designated shall appoint a third, who shall be chairman of the board. [If the employees concerned in such grievance or dispute are members of good standing of a labor organization which is not represented in a central body, the organization of which they are members may select and designate one arbitrator.] If such employees are not members of a labor organization, a majority thereof at a meeting duly called for that purpose, may designate one arbitrator for such board.

§ 147. **Consent; oath; powers of arbitrators.**—Before entering upon his duties, each arbitrator so selected shall sign a consent to act and take and subscribe an oath to faithfully and impartially discharge his duties as such arbitrator, which consent and oath shall be filed in the clerk's office of the county or counties where the controversy arose. When such board is ready for the transaction of business, it shall select one of its members to act as secretary, and notice of the time and place of hearing shall be given to the parties to the controversy. The board may, through its chairman, subpœna witnesses, compel their attendance and take and hear testimony. The board may make and enforce rules for its government and the transaction of the business before it, and fix its sessions and adjournments.

§ 148. **Decision of arbitrators.**—The board shall, within ten days after the close of the hearing, render a written decision signed by them giving such details as clearly show the nature of the controversy and the questions decided by them. [Such decision shall be a settlement of the matter submitted to such arbitrators, unless within ten days thereafter an appeal is taken therefrom to the state board of mediation and arbitration.] One copy of the decision shall be filed in the office of the clerk of the county or counties where the controversy arose and one copy shall be transmitted to the [secretary of the state board] *bureau* of mediation and arbitration.

[§ 149. **Appeals.**—The state board of arbitration shall hear, consider, and investigate every appeal to it from any such board of local arbitrators and its decisions shall be in writing and a copy thereof filed in the clerk's office of the county or counties where the controversy arose and duplicate copies served upon each party to the controversy. Such decision shall be final and conclusive upon all parties to the arbitration.]

§ 5. Section one hundred and six of said chapter, as amended by chapter four hundred and seventy-five of the laws of nineteen hundred and one, is hereby repealed.

§ 6. Chapter nine of the laws of nineteen hundred and one, entitled "An act to create a department of labor and the office of commissioner of labor, and abolishing the offices of commissioner of labor statistics and factory inspector, and the state board of mediation and arbitration," is hereby repealed.

§ 7. This act shall take effect immediately.

Approved June 15, 1907.

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CHAPTER 506.

AN ACT to amend the penal code, relative to violations of provisions of the labor law.

Section 1. Section three hundred and eighty-four-h of the penal code, as amended by chapter four hundred and sixteen of the laws of eighteen hundred and ninety-seven, is hereby amended to read as follows:

§ 384-h. **Hours of labor to be required.**— Any person or corporation,

1. Who, contracting with the state or a municipal corporation, shall require more than eight hours work for a day's labor; or

2. Who shall require more than ten hours labor, including one-half hour for dinner, to be performed within twelve consecutive hours, by the employees of a street surface and elevated railway owned or operated by corporations whose main line of travel or routes lie principally within the corporate limits of cities of more than one hundred thousand inhabitants; or

3. Who shall require the employees of a corporation owning or operating a brickyard to work *contrary to the requirements of section six of the labor law* [more than ten hours in any one day or to commence work before seven o'clock in the morning, unless by agreement between employer and employee]; or,

*4. Who shall require the employees of a corporation operating a line of railroad of thirty miles in length or over, in whole or in part within this state contrary to the requirements of article one of the labor law, is guilty of a misdemeanor, and on conviction therefor shall be punished by a fine of not less than five hundred nor more than one thousand dollars for each offense. If any contractor with the state or a municipal corporation shall require more than eight hours for a day's labor, upon conviction therefor in addition to such fine, the contract shall be forfeited at the option of the municipal corporation.

§ 2. Section three hundred and eighty-four-l of the penal code, as amended by chapter four hundred and sixteen of the laws of eighteen hundred and ninety-seven and by chapter three hundred and eighty of the laws of nineteen hundred and three, is hereby amended to read as follows:

§ 384-l. **Violations of provisions of labor law.**— Any person who violates or does not comply with:

1. The provisions of article two of the labor law, relating to the department of labor;

2. The provisions or article three of the labor law, relating to the bureau of labor statistics;

3. The provisions of article five of the labor law, relating to the bureau of factory inspection;

4 [1]. The provisions of article six of the labor law, relating to factories;

5 [2]. The provisions of article seven of the labor law, relating to the manufacture of articles in tenements;

6 [3]. The provisions of article eight of the labor law, relating to bakeries and confectionery establishments [, the employment of labor and the manufacture of flour or meal food products therein];

7 [4]. The provisions of article eleven of the labor law, relating to mercantile establishments, and the employment of women and children therein;

* Subdivision 4 was subsequently amended by chapter 523.

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8 [5]. And any person who knowingly makes a false statement in or in relation to any application made for an employment certificate as to any matter required by articles six and eleven of the labor law to appear in any affidavit, record, transcript or certificate therein provided for, is guilty of a misdemeanor and upon conviction shall be punished for a first offense by a fine of not less than twenty nor more than [one hundred] *fifty* dollars; for a second offense by a fine of not less than fifty nor more than two hundred dollars, or by imprisonment for not more than thirty days or by both such fine and imprisonment; for a third offense by a fine of not less than two hundred and fifty dollars, or by imprisonment for not more than sixty days, or by both such fine and imprisonment.

§ 3. Section three hundred and eighty-four-f of the penal code, as amended by chapter four hundred and sixteen of the laws of eighteen hundred and ninety-seven, is hereby repealed.

§ 4. This act shall take effect immediately.

Approved June 15, 1907.

CHAPTER 507.

AN ACT to amend the labor law, relative to hours of labor of children, minors and women.

Section 1. Section seventy-seven of chapter four hundred and fifteen of the laws of eighteen hundred and ninety-seven, entitled "An act in relation to labor, constituting chapter thirty-two of the general laws," as amended by chapter one hundred and ninety-two of the laws of eighteen hundred and ninety-nine and chapter one hundred and eighty-four of the laws of nineteen hundred and three and chapter four hundred and ninety of the laws of nineteen hundred and six, is hereby amended to read as follows:

§ 77. **Hours of labor of *children*, minors and women.**— *Subd. 1.* No *child* [minor] under the age of sixteen years shall be employed [,] *or* permitted [or suffered] to work in *or in connection with* any factory in this state before [six] *eight* o'clock in the morning, or after [seven] *five* o'clock in the evening of any day, or for more than *eight* [nine] hours in any one day, *or more than six days in any one week.*

Subd. 2. No *male* minor under the age of eighteen years [,] *shall be employed or permitted to work in any factory in this state more than six days or sixty hours in any one week, or for more than ten hours in any one day, except as hereafter provided;* [and no] *nor between the hours of twelve midnight and four o'clock in the morning.*

Subd. 3. No female *minor under the age of twenty-one years and no woman* shall be employed [,] *or* permitted [or suffered] to work in any factory in this state before six o'clock in the morning, or after nine o'clock in the evening of any day [;] *or more than six days or sixty hours in any one week; nor* [, or] for more than ten hours in any one day except *as hereafter provided.* [to make a shorter work day on the last day of the week; or for more than sixty hour in any one week, or more hours in any one week than will make an average of ten hours per day for the whole number of days so worked.]

Subd. 4. A printed notice, in a form which shall be [prescribed and] furnished by the commissioner of labor, stating the number of hours per day for each day of the week required of such persons, and the time when such

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work shall begin and end, shall be kept posted in a conspicuous place in each room where they are employed. But such persons may begin their work after the time for beginning and stop before the time for ending such work, mentioned in such notice, but they shall not otherwise be employed, permitted or suffered to work in such factory except as stated therein. The terms of such notice shall not be changed after the beginning of labor on the first day of the week without the consent of the commissioner of labor. The presence of such persons [at work] in the factory at any other hours than those stated in the printed notice, *or if no such notice be posted, before seven o'clock in the morning or after six o'clock in the evening,* shall constitute prima facie evidence of a violation of this section [of the law].

Subd. 5. In a factory wherein, owing to the nature of the work, it is practically impossible to fix the hours of labor weekly in advance the commissioner of labor, upon a proper application stating facts showing the necessity therefor, shall grant a permit dispensing with the notice hereinbefore required, upon condition that the daily hours of labor be posted for the information of employees and that a time book in a form to be approved by him, giving the names and addresses of all female employees and the hours worked by each of them in each day, shall be properly and correctly kept, and shall be exhibited to him or any of his subordinates promptly upon demand. Such permit shall be kept posted in such place in such factory as such commissioner may prescribe, and may be revoked by such commissioner at any time for failure to post it or the daily hours of labor or to keep or exhibit such time book as herein provided.

Subd. 6. Where a female or male minor is employed in two or more factories or mercantile establishments in the same day or week the total time of employment must not exceed that allowed per day or week in a single factory or mercantile establishment; and any person who shall require or permit a female to work in a factory between the hours of six o'clock in the evening and seven o'clock in the morning in violation of the provisions of this subdivision of this section, with or without knowledge of the previous or other employment, shall be liable for a violation thereof.

§ 2. Section seventy-eight of said act, as amended by chapter one hundred and ninety-two of the laws of eighteen hundred and ninety-nine and chapter one hundred and eighty-four of the laws of nineteen hundred and three, is hereby amended to read as follows:

§ 78. *Exceptions.— Subdivision 1. A female sixteen years of age or upwards and a male between the ages of sixteen and eighteen may be employed in a factory more than ten hours a day; — (a) regularly in not to exceed five days a week, in order to make a short day or a holiday on one of the six working days of the week; (b) irregularly in not to exceed three days a week; provided that no such person shall be required or permitted to work more than twelve hours in any one day or more than sixty hours in any one week, and that the provisions of the preceding section as to notice or time book be fully complied with.*

[**Change of hours of labor of minors and women.**— When in order to make a shorter work day on the last day of the week, a minor over sixteen and under eighteen years of age, or a female sixteen years of age or upwards, is to be required or permitted to work in a factory more than ten hours in a day, the employer of such persons shall notify the commissioner of labor in writing,

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of such intention, stating the number of hours of labor per day, which it is proposed to require or permit, and the time when it is proposed to cease such requirement or permission; a similar notification shall be made when such requirement or permission has actually ceased. A record of the names of the employees thus required or permitted to work overtime, with the amount of such overtime, and the days upon which such work was performed, shall be kept in the office of such factory, and produced upon the demand of the commissioner of labor.]

Subd. 2. In a prosecution for a violation of any provision of this or of the preceding section the burden of proving a permit or exception shall be upon the party claiming it.

§ 3. This act shall take effect October first, nineteen hundred and seven.

Approved June 15, 1907.

CHAPTER 520.

AN ACT to amend chapter five hundred and ninety-two of the laws of eighteen hundred and ninety-seven, entitled "An act in relation to navigation, constituting chapter thirty of the general laws, authorizing temporary assignments of the inspectors of steam vessels to the department of labor.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section three of chapter five hundred and ninety-two of the laws of eighteen hundred and ninety-seven is hereby amended so as to read as follows:

§ 3. **Duties of superintendent of public works.**— The superintendent of public works shall superintend the administration of the provisions of this article, appoint the inspectors provided for in this act and exercise supervision over them in the performance of their duties *so far as the same relate to the administration and enforcement of the provisions of this act. During such periods of the year as in the judgment of the superintendent of public works, the services of the inspectors provided to be appointed by this act shall not be needed in the administration of the provisions of this act, he may, upon request of the commissioner of labor, for temporary periods, transfer such inspectors to the department of labor, and during the periods in which said inspectors are so transferred, they shall be subject to the jurisdiction of the commissioner of labor and subject to detail by him as experts in the administration of the labor law. The necessary traveling expenses of said inspectors while acting under the jurisdiction of the commissioner of labor shall be paid from the funds appropriated for the administration of the department of labor, and their salaries shall be paid, as hereinafter provided, by the superintendent of public works, their vouchers to be approved by the commissioner of labor.*

§ 2. This act shall take effect immediately.

Approved June 17, 1907.

CHAPTER 523.

AN ACT to amend section three hundred and eighty-four-h of the penal code, relative to hours of labor to be required of employees of a corporation operating a line of railroad thirty miles in length, or over.

Section 1. Subdivision four of section three hundred and eighty-four-h of the penal code is hereby amended so as to read as follows:

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4. Who shall require *or permit* [the employees] *any employee engaged in or connected with the movement of any train* of a corporation operating a line of railroad thirty miles in length, or over, in whole or in part within this state, to [work contrary to the requirements of article one of the labor law] *remain on duty more than sixteen consecutive hours; or to require or permit any such employee who has been on duty sixteen consecutive hours to go on duty without having had at least ten hours off duty; or to require or permit any such employee who has been on duty sixteen hours in the aggregate in any twenty-four hour period, to continue on duty or to go on duty without having had at least eight hours off duty within such twenty-four hour period; except when by casualty occurring after such employee has started on his trip, or by unknown casualty occurring before he started on his trip, and except when by accident or unexpected delay of trains scheduled to make connection with the train on which such employee is serving, he is prevented from reaching his terminal;* is guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than five hundred nor more than one thousand dollars for each offense. If any contractor with the state or a municipal corporation shall require more than eight hours for a day's labor, upon conviction therefor in addition to such fine, the contract shall be forfeited at the option of the municipal corporation.

§ 2. This act shall take effect March fourth, nineteen hundred and eight.

Approved June 17, 1907.

CHAPTER 546*.

AN ACT to amend the penal code, in relation to the sale of transportation tickets.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The penal code is hereby amended by adding thereto, after section six hundred and sixteen thereof, three new sections to be six hundred and sixteen-a, six hundred and sixteen-b, and six hundred and sixteen-c thereof, to read as follows:

§ 616-a. No person issuing, selling or offering to sell any passage ticket or any instrument giving or purporting to give any right, either absolutely or upon any condition or contingency, to a passage or conveyance upon any vessel, or a berth or stateroom in any vessel, shall hold himself out to be or advertise himself in any way as the agent of the owners or consignees of such vessel or line, unless he has received authority in writing therefor, specifying the name of the company, line or vessel for which he is authorized to act as agent and the city, town or village, together with the street and street number in which his office is kept for the sale of tickets, and unless such written authorization is conspicuously displayed in such office. Provided that this section shall not apply to the sale of passage tickets on board any such vessel or to the offices of the actual owners or consignees of such vessel. No person issuing, selling or offering to sell any such passage ticket or instrument giving or purporting to give any such right to passage or conveyance shall give any false or misleading information in regard to said

* A companion law to Chapter 185, *q. v.*

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passage ticket or instrument or line over which such passage is sold, or as to his agency for such line or vessel.

§ 616-b. No person agreeing to furnish or secure for any other person, for a consideration, passage by vessel from any foreign port to any port in this state shall issue any advice, order, certificate or other instrument purporting to entitle one or more persons to a passage ticket or other evidence of a right of passage, unless every such advice, order, certificate or instrument shall be signed or countersigned by a duly appointed agent as provided in section six hundred and sixteen-a, of the vessel or line over which said advice, order, certificate or other instrument is held out to be good to secure such passage ticket or other evidence of a right of passage. Every such order, advice, certificate or other instrument and every receipt for money paid for or on account of any such advice, order, certificate or other instrument, shall contain a statement of the amount paid or to be paid for such passage; the name, address and age of the person or persons for whom intended; the name of the company or line, if any, to which the vessel on which passage is to be made belongs; the place from which such passage is to commence; the place where such passage is to terminate; the name of the person or persons purchasing such advice, order, certificate or other instrument, and such advice, order, certificate or other instrument must be signed by the person who issues it.

§ 616-c. Any person violating any of the provisions of section six hundred and sixteen-a, or six hundred and sixteen-b shall be guilty of a misdemeanor and for a second or further violation shall be guilty of a felony.

§ 2. This act shall take effect September first, nineteen hundred and seven.

Approved June 21 1907.

BILLS PASSED AND AWAITING THE ACTION OF THE GOVERNOR.

CHILD LABOR.

Senate Bill No. 1837. Introduced by Mr. Hooper (A. 1539):

AN ACT to amend the labor law, relative to children working in streets and public places in cities of the first or second class.*

Section 1. Article twelve of chapter four hundred and fifteen of the laws of eighteen hundred and ninety-seven, entitled "An act in relation to labor, constituting chapter thirty-two of the general laws," as added by chapter one hundrd and fifty-one of the laws of nineteen hundred and three, and as amended by chapter five hundred and nineteen of the laws of nineteen hundred and five, is hereby amended to read as follows:

ARTICLE XII.

EMPLOYMENT OF CHILDREN, IN STREET TRADES.

Section 174. Prohibited employment of children in street trades.
175. Permit and badge for newsboys, how issued.
176. Contents of permit and badge.
177. Regulations concerning badge and permit.
178. [Badge and permit to be surrendered.] *Limit of hours.*
179. [Limit of hours.] *Enforcement of article.*
179-a. Violation of this article, how punished.

§ 174. **Prohibited employment of children in street trades.**—No male child under ten, and no girl under sixteen years of age shall in any city of the

*Approved by the Governor as Chapter 588 of the Laws of 1907.

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first or second class sell or expose or offer for sale newspapers, *magazines or periodicals* in any street or public place.

§ 175. **Permit and badge for newsboys, how issued.**— No male child [actually or apparently] under fourteen years of age shall sell or expose or offer for sale said articles unless a permit and badge as hereinafter provided shall have been issued to him by the district superintendent of the board of education of the city and school district where said child resides, or by such other officer thereof as may be officially designated by such board for that purpose, on the application of the parent, guardian or other person having the custody of the child desiring such permit and badge, or in case said child has no parent, guardian or custodian then on the application of his next friend, being an adult. Such permit and badge shall not be issued until the officer issuing the same shall have received, examined, approved and placed on file in his office satisfactory proof that such male child is of the age of ten years or upwards [.], *and shall also have received, examined and placed on file the written statement of the principal or chief executive officer of the school which the child is attending, stating that such child is an attendant at such school, that he is of the normal development of a child of his age and physically fit for such employment, and that said principal or chief executive officer approves the granting of a permit and badge to such child.* No *such* permit or badge [provided for herein] shall be valid for any purpose except during the period in which such proof *and written statement* shall remain on file, nor shall such permit or badge be authority beyond the period fixed therein for its duration. After having received, examined, [approved] and placed on file such [proof] *papers* the officer shall issue to the child a permit and badge. *Principals or chief executive officers of school in which children under fourteen years are pupils shall keep complete lists of all children in their schools to whom a permit and badge as herein provided have been granted.*

§ 176. **Contents of permit and badge.**— Such permit shall state the date and place of birth of the child, the name and address of its parent, guardian, custodian or next friend as the case may be and describe the color of hair and eyes, the height and weight and any distinguishing facial mark of such child, and shall further state that the [proof] *papers* required by the preceding section [has] *have* been duly examined [, approved] and filed; and that the child named in such permit has appeared before the officer issuing the permit. The badge furnished by the officer issuing the permit shall bear on its face a number corresponding to the number of the permit, and the name of the child. Every such permit, and every such badge on its reverse side, shall be signed in the presence of the officer issuing the same by the child in whose name it is issued.

§ 177. **Regulations concerning badge and permit.**— The badge provided for herein shall be worn conspicuously at all times by such child while so working; [and such permit and badge shall expire at the end of one year from the date of their issue,] *and all such permits and badges shall expire annually on the first day of January. The color of the badge shall be changed each year.* No child to whom such permit and badge are issued shall transfer the same to any other person nor be engaged in any city of the first or second class as a newsboy, or shall sell or expose or offer for sale newspapers, *magazines or periodicals* in any street or public place without having *conspicuously* upon

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his person such badge, and he shall exhibit the same upon demand at any time to any police, or attendance officer.

[§ 178. **Badge and permit to be surrendered.**— The parent, guardian, custodian or next friend, as the case may be, of every child to whom such permit and badge shall be issued shall surrender the same to the authority by which said permit and badge are issued at the expiration of the period provided therefor.]

[179.] § *178.* **Limit of hours.**— No child to whom a permit and badge are issued as provided for in the preceding sections shall sell or expose or offer for sale any newspapers, *magazines or periodicals* after ten o'clock in the evening [.], *or before six o'clock in the morning.*

§ *179. Enforcement of article.— In cities of the first or second class, police officers, and the regular attendance officers appointed by the board of education who are hereby vested with the powers of peace officers for the purpose, shall enforce the provisions of this article.*

§ 179-a. **Violation of this article, how punished.**— Any child who shall work in any city of the first or second class in any street or public place as a newsboy or *who* shall sell or expose or offer for sale newspapers, *magazines or periodicals in violation of* [under circumstances forbidden by] the provisions of this article, *shall* [must] be arrested and brought before a court or magistrate having jurisdiction to commit a child to an incorporated charitable reformatory or other institution and be dealt with according to law; and if any such child is committed to an institution, it shall when practicable, be committed to an institution governed by persons of the same religious faith as the parents of such child. *The permit and badge of any child who violates the provisions of this article may be revoked by the officer issuing the same, upon the recommendation of the principal or chief executive officer of the school which such child is attending, or upon the complaint of any police officer or attendance officer, and such child shall surrender the permit and badge so revoked upon the demand of any attendance officer or police officer charged with the duty of enforcing the provisions of this article. The refusal of any child to surrender such permit and badge, upon such demand, or the sale or offering for sale of newspapers, magazines or periodicals in any street or public place by any child after notice of the revocation of such permit and badge shall be deemed a violation of this article and shall subject the child to the penalties provided for in this section.*

§ 2. Nothing in this act shall be deemed or construed to repeal, amend, modify, impair or in any manner affect any provision of the penal code or the code of criminal procedure.

§ 3. This act shall take effect October first, nineteen hundred and seven.

Senate Bill No. 1801.* Introduced (1091) by Mr. Agnew:

AN ACT to amend the consolidated school law, relative to compulsory education of children.

Section 1. Section three of title sixteen of chapter five hundred and fifty-six of the laws of eighteen hundred and ninety-four, entitled "An act to revise, amend and consolidate the general acts relating to public instruction" as

*Approved by the governor, July 15, 1907, as chap. 585.

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added by chapter six hundred and seventy-one of the laws of eighteen hundred and ninety-four, and amended by chapter six hundred and six of the laws of eighteen hundred and ninety-six, chapter four hundred and fifty-nine of the laws of nineteen hundred and three, and chapter one hundred and three of the laws of nineteen hundred and seven, is hereby amended to read as follows:

§ 3. **Required attendance upon instruction.**— Every child between eight and sixteen years of age, in proper physical and mental condition to attend school, shall regularly attend upon instruction at a school in which at least six common school branches of reading, spelling, writing, arithmetic, English grammar and geography are taught, or upon equivalent instruction by a competent teacher elsewhere than at school, as follows: every such child between fourteen and sixteen years of age, not regularly and lawfully engaged in any useful employment or service, *and in cities of the first and second class such child to whom an employment certificate has not been duly issued under the provisions of the labor law*, and every such child between eight and fourteen years of age, shall so attend upon instruction as many days annually, during the period between the first days of October and the following June, as the public school of the district or city in which such child resides, shall be in session during the same period. Every boy between fourteen and sixteen years of age, in possession of the school record [certificate] provided for in [the fifth] *section four-a* of this act and who is engaged in any useful employment or service in a city of the first class or a city of the second class and who has not completed such course of study as is required for graduation from the elementary public schools of such city, and who does not hold either a certificate of graduation from the public elementary school or the preacademic certificate issued by the regents of the university of the state of New York or the certificate of the completion of an elementary school issued by the education department, shall attend the public evening schools of such city, or other evening schools offering an equivalent course of instruction, for not less than six hours each week, for a period of not less than sixteen weeks in each school year or calendar year. If any such child shall so attend upon instruction elsewhere than at a public school, such instruction shall be at least substantially equivalent to the instruction given to children of like age at the public school of the city or district in which such child resides; and such attendance shall be for at least as many hours of each day thereof as are required of children of like age at public schools; and no greater total amount of holidays and vacations shall be deducted from such attendance during the period such attendance is required than is allowed in such public school to children of like age. Occasional absences from such attendance, not amounting to irregular attendance in the fair meaning of the term, shall be allowed upon such excuses only as would be allowed in like cases by the general rules and practice of such public school.

§ 2. Section four of said title as added by chapter six hundred and seventy-one of the laws of eighteen hundred and ninety-four, as amended by chapter six hundred and six of the laws of eighteen hundred and ninety-six and by chapter four hundred and fifty-nine of the laws of nineteen hundred and three, is hereby amended to read as follows:

§ 4. **Duties of persons in parental relation to children.**— Every person in parental relation to a child between eight and sixteen years of age, in proper physical and mental condition to attend school, shall cause such child to so

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attend upon instruction, or shall present to the school authorities of his city or district proof by affidavit that he is unable to compel such child to so attend[.] *except such child to whom an employment certificate shall have been duly issued under the provisions of the labor law, and who is regularly employed.* A violation of this section shall be a misdemeanor, punishable for the first offense by a fine not exceeding five dollars, and for each subsequent offense by a fine not exceeding fifty dollars or by imprisonment not exceeding thirty days, or by both such fine and imprisonment. Courts of special sessions and police magistrates shall, subject to removal as provided in sections fifty-seven and fifty-eight of the code of criminal procedure, have exclusive jurisdiction in the first instance to hear, try and determine charges of violations of this section within their respective jurisdictions.

§ 3. Title sixteen of said chapter is hereby amended by inserting after section four a new section, to be known as section four-a, to read as follows:

§ 4-a. **School record.**— *Any principal or chief executive officer of a school to whom application shall have been made for a school record required under the provisions of the labor law shall issue such school record to said child as follows: Such school record shall be issued and signed by the principal or chief executive officer of the school which such child has attended and shall be furnished, on demand, to a child entitled thereto or to the board, department or commissioner of health. It shall contain a statement certifying that the child has regularly attended the public schools or schools equivalent thereto or parochial schools for not less than one hundred and thirty days during the twelve months next preceding his fourteenth birthday or during the twelve months next preceding his application for such school record and is able to read and write simple sentences in the English language, and has received during such period instruction in reading, writing, spelling, English grammar and geography and is familiar with the fundamental operations of arithmetic up to and including fractions. Such school record shall also give the date of birth and residence of the child as shown on the records of the school and the name of its parent or guardian or custodian.*

§ 4. Section five of said title as added by chapter six hundred and seventy-one of the laws of eighteen hundred and ninety-four and amended by chapter four hundred and fifty-nine of the laws of nineteen hundred and three, chapter two hundred and eighty of the laws of nineteen hundred and five, and chapter one hundred and three of the laws of nineteen hundred and seven, is hereby amended to read as follows:

§ 5. **Persons employing children unlawfully to be fined.**— It shall be unlawful for any person, firm or corporation to employ any child under fourteen years of age, in any business or service whatever, during any part of the term during which the public schools of the district in which the child resides are in session; or to employ any child between fourteen and sixteen years of age who does not, at the time of such employment, present *in a city of the first class or a city of the second class, an employment certificate duly issued under the provisions of the labor law, or elsewhere the school record hereinbefore provided* [a school record certificate signed by the superintendent of schools or by the principal or the principal teacher of the city or district in which the child resides or by the principal or the principal teacher of the school where the child has attended or is attending, or by such officer as the school authorities may designate, certifying that such child during the twelve

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months next preceding his fourteenth birthday or during the twelve months next preceding his application for such certificate, has attended for not less than one hundred and thirty days the public schools, or schools having an elementary course equivalent thereto, in such city or district and that such child can read and write easy English prose and is familiar with the fundamental operations of arithmetic]; or to employ, in a city of the first class or a city of the second class, any child between fourteen and sixteen years of age who is not in possession of the [school record certificate hereinbefore provided,] *employment certificate hereinbefore mentioned* and who has not completed such course of study as the public elementary schools of such city require for graduation from such schools and who does not hold either a certificate of graduation from the public elementary school or the preacademic certificate issued by the regents of the university of the state of New York or the certificate of the completion of an elementary school issued by the education department, *unless* the employer of such child, if a boy, shall keep and shall display in the place where such child is employed and shall show whenever so requested by any attendance officer, factory inspector, or representative of the police department, a certificate signed by the school authorities of such school officers in said city as said school authorities shall designate, which school authorities, or officers designated by them, are hereby required to issue such certificates to those entitled to them not less frequently than once in each month during which said evening school is in session and at the close of the session of said evening school, stating that said child has been in attendance upon said evening school for not less than six hours each week for such number of weeks as will, when taken in connection with the number of weeks such evening school will be in session during the remainder of the current or calendar year, make up a total attendance on the part of said child in said evening school of not less than six hours per week for a period of not less than sixteen weeks, *and any person who shall employ any child* contrary to the provisions of this section or who shall fail to keep and display certificates as to the attendance of employees in evening schools when such attendance is required by law shall, for each offense, forfeit and pay to the treasurer of the city or village, or to the supervisor of the town in which such child resides, a penalty of fifty dollars, the same, when paid, to be added to the public school moneys of the city, village or district in which such child resides.

§ 5. This act shall take effect September first, nineteen hundred and seven.

HEALTH AND SAFETY OF EMPLOYEES.

Senate Bill No. 795. Introduced (667) by Mr. Page:

AN ACT to amend chapter three hundred and thirty-four of the laws of nineteen hundred and one, entitled "An act in relation to tenement houses in cities of the first class," relative to bakeries.

Section 1. Section forty-one of chapter three hundred and thirty-four of the laws of nineteen hundred and one, entitled "An act in relation to tenement houses in cities of the first class," is hereby amended so as to read as follows:

§ 41. Bakeries and fat boiling.— No bakery and no place of business in which fat is boiled, shall be maintained in any tenement house which is not

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fireproof throughout, unless the ceiling, [and] side-walls, [of] *and all exposed iron or wooden girders or columns within the* said bakery or [of the] *within* said place where fat boiling is done are made safe by fireproof materials around *the* same[,]. And there shall be no openings either by door[,] or window, dumbwaiter shafts or otherwise, between said bakery or said place where fat is boiled in any tenement house, and *the* other parts of the said building[.], *except that in bakeries in which no fat is boiled, and in which no apparatus for fat boiling is present or on the premises, a dumbwaiter communicating between the place where the baking is done and the store above, may be maintained, if entirely enclosed in a brick shaft with walls not less than eight inches thick, without any openings whatever except one door opening in the bake-shop and one door opening in the bakery store; such openings shall each be provided with a fireproof door so arranged that when one door is open or partly open, the other door shall be entirely closed.*

§ 2. This act shall take effect immediately.

Assembly Bill No. 2761. Introduced (1891) by Mr. Boshart:

AN ACT to amend the agricultural law in relation to the employment of persons having infectious or contagious disease, or who have been exposed to any infectious or contagious disease, in any dairy or creamery where milk is produced for sale or manufactured into an article of food, and to prevent the employment of any such person in connection with the distribution of milk or other dairy products.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Chapter three hundred and thirty-eight of the laws of eighteen hundred and ninety-three, entitled "An act in relation to agriculture constituting articles one, two, three, four and five of chapter thirty-three of the general laws," is hereby amended by adding thereto a new section to be known as section thirty-two-a, to read as follows:

Section 32-a. No person shall employ in any capacity in any dairy, creamery, milk gathering or shipping station, butter or cheese factory or condensary where milk is handled or shipped for consumption or manufactured into any food product to be sold for consumption, or upon or in any conveyance or other place in connection with milk which is being either shipped or distributed, any person who is suffering from an infectious or contagious disease, nor shall any person employ at any such place or for any such purpose, knowingly, any person who has been exposed to any such infectious or contagious disease, nor shall any person who is so suffering with such disease, or who has been exposed to any such disease, work in any such capacity until such time as he shall have fully recovered, nor shall any such person so employed wear at any time during his employment in such capacity any clothing which has been worn by any person suffering with such disease or that has been in such contact or relation to any such disease as to be liable to carry germs of the disease, until such time as such clothing has been properly disinfected. Any person or persons, knowing or having reason to

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believe that any such person employed in any capacity herein set forth is suffering from any infectious or contagious disease, or has been exposed to same, shall immediately report same to the local board of health and any local board of health or health officer knowing or having reason to believe that any such person is so employed in such capacity, as above set forth, contrary to the provisions of this section, shall immediately notify the commissioner of agriculture of such fact. The commissioner of agriculture shall then immediately take such action as he may deem necessary to prevent the spread of any such disease by means of such dairy product so handled by such person or employee.

§ 2. This act shall take effect immediately.

Assembly Bill No. 1377. Introduced (682) by Mr. Geoghegan:

AN ACT to amend the railroad law, in relation to protection of street railroad employees in the counties of Kings and Queens.

Section 1. Section one hundred and twelve of chapter five hundred and sixty-five of the laws of eighteen hundred and ninety, entitled "An act in relation to railroads constituting chapter thirty-nine of the general laws," as added by chapter four hundred and fifty-three of the laws of nineteen hundred and five, is hereby amended to read as follows:

§ 112. **Protection of employees in the counties of Kings and Queens.**— Every corporation operating a street surface railroad in the counties of Kings or Queens, shall cause the front and rear platforms of every passenger car propelled by electricity, cable or compressed air, operated on any division of such railroad during the months of December, January, February and March, except cars attached to the rear of other cars, to be enclosed from the fronts of the platforms to the fronts of the hoods *and on both sides of the platform*, so as to afford protection to any person stationed by such corporation on such platforms to perform duties connected with the operation of such cars. Every corporation or person using and operating a car in violation of such section shall be liable to a penalty of [twenty-five] *fifty* dollars per day for each car used and operated, to be collected in an action brought by the attorney-general and to be paid to the treasurer of the city of New York, or in a suit by the district attorney of the counties of Kings or Queens to be paid into the treasury of the city of New York. One-third of the cars operated by any corporation in either of the above named counties shall be equipped with the enclosures provided for in section one of this act on or before December first, nineteen hundred and [five,] *seven*, one-third thereof after December first, nineteen hundred and [five,] *seven*, and before December first, nineteen hundred and [six,] *eight*, and the remaining one-third thereof after December first, nineteen hundred and [six,] *eight*, and before December first, nineteen hundred and [seven] *nine*.

§ 2. This act shall take effect immediately.

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Assembly Bill No. 2355. Introduced (1178) by Mr. Haines:

AN ACT to amend the railroad law, in relation to the protection of street railroad employees, in the county of Westchester.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Article four of chapter five hundred and sixty-five of the laws of eighteen hundred and ninety, entitled "An act in relation to railroads constituting chapter thirty-nine of the general laws," is hereby amended by adding thereto a new section to be section one hundred and thirteen-b thereof, to read as follows:

§ 113-b. **Protection of employees in the county of Westchester.**— Every corporation operating a street surface railroad in the county of Westchester shall cause the front and rear platforms of every passenger car propelled by electricity, cable or compressed air, operated on any division of such railroad during the months of December, January, February and March, except cars attached to the rear of other cars, to be completely enclosed from platform to hood so as to afford protection to any person stationed by such corporation on such platforms to perform duties connected with the operation of such cars. Every corporation or person using and operating a car in violation of such section shall be liable to a penalty of twenty-five dollars per day for each car used and operated, to be collected in an action brought by the attorney-general and to be paid into the treasury of the county of Westchester. One-half of the cars operated by any corporation in said county shall be equipped with the enclosure provided for in this act on or before December first, nineteen hundred and seven, and one-half thereof after December first, nineteen hundred and seven, and before December first, nineteen hundred and eight.

§ 2. This act shall take effect immediately.

HOURS OF LABOR.

Assembly Bill No. 2262. Introduced (891) by Mr. Northrup:

AN ACT to amend the labor law, relative to hours of labor of certain employees on railroads.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Chapter four hundred and fifteen of the laws of eighteen hundred and ninety-seven, entitled "An act in relation to labor, constituting chapter thirty-two of the general laws," is hereby amended by adding a new section after section seven thereof, to be section seven-a, to read as follows:

§ 7-a. *Regulation of hours of labor of block system telegraph and telephone operators and signalmen on surface, subway and elevated railroads.— The provisions of section seven of this chapter shall not be applicable to employees mentioned herein. It shall be unlawful for any corporation or receiver, operating a line of railroad, either surface, subway or elevated, in whole or in part, in the state of New York, or any officer, agent or representative of such corporation or receiver to require or permit any telegraph or telephone operator who spaces trains by the use of the telegraph or telephone under what is known and termed the "block system" (defined as follows): Reporting trains to another office or offices or to a train dispatcher operating one or more trains under signals, and telegraph or telephone levermen who manipu-*

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late interlocking machines in railroad yards or on main tracks out on the lines [connecting side tracks or switches,] or train dispatchers in its service whose duties substantially, as hereinbefore set forth, pertain to the movement of cars, engines or trains on its railroad by the use of the telegraph or telephone in dispatching or reporting trains or receiving or transmitting train orders as interpreted in this section, to be on duty for more than eight hours in a day of twenty-four hours, and it is hereby declared that eight hours shall constitute a day of employment for all laborers or employees engaged in the kind of labor aforesaid; except in cases of extraordinary emergency caused by accident, fire, flood or danger to life or property and for each hour of labor so performed in any one day in excess of such eight hours, by any such employee, he shall be paid in addition at least, one-eighth of his daily compensation. Any person or persons, company or corporation, who shall violate any of the provisions of this section, shall, on conviction, be fined in the sum not less than one hundred dollars, and such fine shall be recovered by an action in the name of the state of New York, for the use of the state, which shall sue for it against such person, corporation or association violating this act, said suit to be instituted in any court in this state having appropriate jurisdiction. Such fine, when recovered as aforsaid, shall be paid without any deduction whatever, one-half thereof to the informer, and the balance thereof to be paid into the free school fund of the state of New York. The provisions of this act shall not apply to any part of a railroad where not more than eight regular passenger trains in twenty-four hours pass each way; provided, moreover, that where twenty freight trains pass each way generally in each twenty-four hours then the provisions of this act shall apply, notwithstanding that there may pass a less number of passenger trains than hereinbefore set forth, namely eight.

§ 2. This act shall take effect October first, nineteen hundred and seven.

HOURS AND WAGES OF PUBLIC EMPLOYEES.

Senate Bill No. 1606. Introduced (A. 1447) by Mr. Hoey:

AN ACT to amend the Greater New York charter, relative to vacations of employees whose compensation is fixed by the day or hour.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Title three of chapter twenty-three of the Greater New York charter, as re-enacted by chapter four hundred and sixty-six of the laws of nineteen hundred and one, is hereby amended by adding thereto a new section to be section fifteen hundred and sixty-seven thereof, to read as follows:

§ 1567. **Vacation of per diem employees.**—Every employee of the city of New York, or of any department or bureau thereof, or of the department of education, who shall have been in the service of said city or of the various departments thereof for a period of one year or more, and the compensation for whose services is fixed by the day or hour, and who shall have been employed for at least upwards of two hundred days in any year, shall be entitled to a vacation of not less than ten days in each year at such time as the head of the department or any officer having supervision over said employee may fix, and for such time they shall be allowed the same compensation as if actually employed.

§ 2. This act shall take effect immediately.

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Senate Bill No. 1614. Introduced (A. 894) by Mr. Apgar:

AN ACT to amend sections thirty-three and thirty-four of title two of chapter three of part four of the revised statutes, relating to state prisons, relative to the salaries of certain officers.

Section 1. Section thirty-three of title two of chapter three of part four of the revised statutes, as amended and revised by chapter three hundred and eighty-two of the laws of eighteen hundred and eighty-nine, is hereby amended to read as follows:

§ 33. The physician, clerk and chaplain of each of said prisons shall each receive an annual salary of two thousand *one hundred and sixty* dollars; *the assistant physician at Clinton prison shall receive an annual salary of one thousand six hundred and twenty dollars;* each assistant clerk of said prisons shall receive such annual salary as shall be fixed by the comptroller, not exceeding one thousand [five] *six* hundred *and twenty* dollars. They shall keep their offices at their respective prisons, and they shall be furnished with fuel and lights for their offices.

§ 2. Section thirty-four of title two of chapter three of part four of the revised statutes, as amended by chapter three hundred and eighty-two of the laws of eighteen hundred and eighty-nine, as amended by chapter seven hundred and thirty of the laws of eighteen hundred and ninety-five, and by chapter seven hundred and nine of the laws of nineteen hundred and four, is hereby amended to read as follows:

§ 34. The superintendent of state prisons shall, from time to time, prescribe the compensation of the other officers of said prisons, but the compensation so fixed and prescribed for the following officers in each of such prisons shall not in any case exceed the rate of an annual salary as follows: To the principal keeper, two thousand *one hundred and sixty* dollars; to the kitchen-keeper, store-keeper, hall-keeper and yard-keeper, each [twelve] *thirteen* hundred dollars; to the sergeant of guard, [nine] *one thousand* dollars; to the state detective at Sing Sing prison [eighteen] *one thousand nine hundred and forty dollars.* The position of keeper in the several state prisons is hereby abolished and officers heretofore designated as keepers shall hereafter be classified as guards. The several guards shall be paid only for services actually rendered, and their annual compensation shall be subject to pro rata deduction for time not served. The compensation of guards [hereafter appointed] shall be as follows: For the first year's service, [six] *seven* hundred and [sixty] *forty* dollars; for the second year's service, [seven] *eight* hundred and [forty] *thirty* dollars; for the third year's service, [eight] *nine* hundred and twenty dollars; for the fourth year's service, and thereafter, [nine] *one thousand* [hundred] dollars. [The annual compensation of guards in service at the time this act takes effect shall be, for services hereafter rendered, as follows: To those serving their first year as prison officers, seven hundred and eighty dollars; to those serving their second year as prison officers, eight hundred and twenty dollars; to those serving their third year as prison officers, eight hundred and sixty dollars; to those who have served three or more years as prison officers, nine hundred dollars.]

§ 3. This act shall take effect October first, nineteen hundred and seven.

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Senate Bill No. 1623. Introduced (No. 338) by Mr. Wilcox:

AN ACT amending section six of chapter three hundred and six of the laws of eighteen hundred and ninety-three, entitled "An act to establish a state prison for women," relative to salaries of guards and assistant matrons.

Section 1. Section six of chapter three hundred and six of the laws of eighteen hundred and ninety-three, entitled "An act to establish a state prison for women," is hereby amended so as to read as follows:

§ 6. Each assistant matron shall board and lodge in the state prison and shall receive as compensation, in addition to such board and lodging, not to exceed the sum of three hundred *and sixty* dollars per annum. The storekeeper shall receive a salary not to exceed one thousand dollars per annum. [Each guard shall receive a salary not to exceed annually six hundred dollars.] *The compensation of the guards shall be as follows: For the first year's service, six hundred dollars; for the second year's service, seven hundred and twenty dollars; for the third year's service, eight hundred and forty dollars; for the fourth year's service and thereafter, nine hundred dollars. The annual compensation of guards and assistant matrons shall be subject to pro rata deduction for time not served.* Such salaries shall be paid monthly and shall be fixed and rated, *from time to time*, by the superintendent of state prisons.

§ 3. This act shall take effect October first, nineteen hundred and seven.

BENEFICIARY FUNDS.

Senate Bill No. 1322. Introduced (No. 983) by Mr. Hill:

AN ACT to amend the insurance law, relating to permitting the incorporation of beneficiary societies, orders or associations of persons in the service of the same employer, for the purpose of furnishing relief to members in case of sickness, disability or death.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Chapter six hundred and ninety of the laws of eighteen hundred and ninety-two, entitled "An act in relation to insurance corporations, constituting chapter thirty-eight of the general laws," is hereby amended by adding thereto a new article, to be article twelve, consisting of twelve sections, to be sections three hundred and seventy to three hundred and eighty-one, both inclusive, to read as follows:

ARTICLE XII.

§ 370. **Incorporation.**—Nine or more persons in the service of the same employer within this state may become an incorporated beneficiary society, order or association, for relief, by insurance upon the mutual or assessment plan, of members or beneficiaries, in case of sickness or death or disability because of injuries sustained by accident to such members, by filing in the office of the superintendent of insurance, and also in the office of the county clerk of the county wherein is located the principal or head office of such corporation, a declaration, executed and acknowledged by each of them, stating their intention to form an employees' beneficiary society, order or association, for the purposes above named; the name of the proposed society, order or association, the mode in which its corporate powers are to be exercised, the name and official title of the officers, trustees, directors, representatives or other persons, by whatsoever name or title designated, who are to have and

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exercise the general control and management of its affairs and fund; also stating the manner of their election, after the first year, such trustees, directors or representatives for the first year of the existence of such corporation to be named in said declaration. There shall be endorsed upon such declaration, or annexed thereto and forming a part thereof, the sworn statement of at least three of the subscribers thereto that at least fifty members have in good faith made application in writing for membership. If all the requirements of law have been complied with, the superintendent shall thereupon file such declaration and cause it to be recorded with the certificate of the attorney-general, in a book to be kept for that purpose, and shall deliver to such society, order or association a certified copy of the papers so recorded in his office, together with a license or certificate of the superintendent to such society, order or association to carry on the work of an employees' beneficiary society, order or association, as proposed in the declaration. Any such society, order or association shall not transact the business of insurance in this state until at least fifty persons have subscribed in writing to be beneficiary members thereof, and have each paid in one full assessment in cash, such assessment to be the minimum assessment fixed by the by-laws of such corporation, or the minimum assessment fixed by the by-laws for each class to which such subscribing members respectively belong, if under said by-laws there shall be more than one class of members.

§ 371. **Constitution and by-laws.**— Members of any employees' beneficiary society formed under this act shall have the power to make such constitution and by-laws, not inconsistent with law, as may be necessary for the government of its officers and the conduct of its affairs, and to alter and amend the same, when necessary, as provided for the amendment of by-laws in section two hundred and nine of the insurance law. When so made, altered or amended, they shall be the law governing such society, order or association, and its officers and the members in their relations to such officers, society, order or association, in all their acts, and they and their successors may have a common seal and may change and alter the same.

§ 372. **Benefits.**— Any such employees' beneficiary society, order or association may make such terms or agreement with its members for the payment of benefits to a member, or others dependent upon him, or a beneficiary designated by him, in case of sickness, disability or death, as may be provided for by the constitution, laws, rules and regulations of such society, order or association, subject to the compliance therewith by the members. It shall not issue any certificate, or make any terms or agreement, express or implied, for the payment of any greater sum of money than one assessment upon all its members will realize at the time of issuing such certificate or the making of such terms or agreement; nor shall any death benefit exceed the sum of five hundred dollars, nor any disability benefit or payment the sum of twenty dollars weekly or a period not exceeding fifty-two weeks.

§ 373. **Revenue.**— Any such employees' society, order or association may derive such money or benefit, charity, relief or aid fund from voluntary donations or from admission fees, dues or assessments collected or to be collected from members thereof in manner and form as may be provided by its constitution, rules, laws and regulations. It shall not, nor shall any officer thereof, use any money collected or received for the payment of beneficiary claims for any other purpose.

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§ 374. **Dues and assessments.**— The members of such employees' beneficiary society, order or association shall pay such fees, dues and assessments as may be required by the by-laws.

§ 375. **Expense.**— The actual expenses of management of any corporation to which this act is applicable shall not exceed, in any one year, more than twenty-five per centum of the cash income actually received by it from fees, dues, assessments and donations.

§ 376. **Rights of members.**— Membership in any such society, order or association shall give to the member the right at any time, upon consent of such society, order or association, in a manner and form prescribed by its by-laws, to make a change in its payee or payees, beneficiary or beneficiaries, without requiring the consent of such payee or beneficiaries.

§ 377. **Exemptions.**— All money or other benefit, charity, relief or aid to be paid, provided or rendered by any such society, order or association incorporated under this act, shall be exempt from execution, and shall not be liable to be seized, taken or appropriated either before or after the same shall have been paid, provided or rendered, by any legal or equitable process, to pay any debt or liability of a member, or the beneficiary or beneficiaries of a member.

§ 378. **Notice of assessment.**— Upon the admission of any member to membership in such society, order or association, there shall be issued to him a certificate of membership, which, upon the face thereof, among other things, shall state the time and amount of each assessment, and of dues thereafter to be paid by such member (except extra assessments) and no other notice of the time of payment or the amount of such assessment (except extra assessments) shall be required to be given.

§ 379. **Application of article.**— This article shall not apply to any corporation, society, order or association carrying on the business of life, health, casualty or accident insurance for profit or gain.

§ 380. **Qualifications for membership.**— No person shall be eligible for membership in or to any society, order or association incorporated under this article, unless he or she shall be at the time of admission to membership in the employ of the person or persons, firm or corporation (or their successors in business) in whose services the incorporators of such society, order or association were employed at the time of filing the declaration provided for in section three hundred and seventy of this article.

§ 381. **Report.**— No society, order or association incorporated under this article shall be required to file any statement or report of its condition or affairs in the office of the superintendent of insurance; or elsewhere, except and provided always, however, that upon the request or complaint of any member of such society, order or association, the superintendent of insurance may require a full and complete statement of the affairs and condition of such society, order or association to be made and filed in his office within a reasonable time following the request therefor from said superintendent, and may, at his election, upon the receipt of such statement, or report, or upon the failure within such reasonable time, of such society, order or association to make and file such statement or report in the office of said superintendent, examine the books, vouchers, records, writings and documents of any such society, order or association, for the purpose of verifying any such report or statement, or ascertaining the true condition of any such society, order or association, and for the purposes thereof the books, vouchers, records, writings

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and documents shall be placed at the disposal of the superintendent of insurance, at the head or principal office of such society, order or association, at such reasonable times during business hours as the superintendent of insurance may designate and require. During such examination, or thereafter, at the said office of the society, order or association, the superintendent of insurance, or his deputies, may examine under oath any of the employees, officers, directors or members of such society, order or association, touching and concerning the matters and things disclosed and contained in such statement or report, or in the examination or investigation made by the superintendent of insurance, and touching and relating to such books, vouchers, records, writings and documents, and may administer oaths to the persons to be examined in the manner and form that oaths or affirmations are required by law to be administered in courts of justice in this state. The actual expenses of such examination shall be borne and paid for by said society, order or association.

APPOINTMENT OF SPECIAL OFFICERS.

Senate Bill No. 1172. Introduced (No. 821) by Mr. McManus:

AN ACT to amend the penal code, relative to appointment of special officers.

§ 119. **Making arrests, et cetera, without lawful authority.**— No sheriff of a county, mayor of a city, or officials, or other person authorized by law to appoint special deputy sheriffs, special constables, marshals, policemen, or other peace officers in this state, to preserve the public peace or quell public disturbance, shall hereafter, at the instance of any agent, society, association or corporation, or otherwise, appoint as such special deputy, special constable, marshal, policemen, or other peace officer, any person who shall not be a citizen of the United States and a resident of the state of New York, and entitled to vote therein at the time of his appointment, and a [resident of] *citizen entitled to vote in* the same county as the mayor or sheriff or other official making such appointment; and no person shall assume or exercise the functions, powers, duties or privileges incident and belonging to the office of special deputy sheriff, special constables, marshals or policemen, or other peace officer, without having first received his appointment in writing from the authority lawfully appointing him. Any person or persons who shall, in this state, without due authority, exercise, or attempt to exercise the functions of, or hold himself out to any one as a deputy sheriff, marshal, or policeman, constable or peace officer, or any public officer, or person pretending to be a public officer, who, unlawfully, under the pretense or color of any process, arrests any person or detains him against his will, or seizes or levies upon any property, or dispossess any one of any lands or tenements without a regular process therefor, or any person who knowingly violates any other provisions of this section, is guilty of a misdemeanor. But nothing herein contained shall be deemed to affect, repeal or abridge the powers authorized to be exercised under sections one hundred and two, one hundred and four, one hundred and sixty-nine, one hundred and eighty-three, eight hundred and ninety-five, eight hundred and ninety-six and eight hundred and ninety-seven of the code of criminal procedure; or under chapter three hundred and forty-six of the laws of eighteen hundred and sixty-three, as amended by chapter two hundred and fifty-nine of the laws of eighteen hundred and sixty-six, and chapter one hundred and ninety-three of the laws of eighteen hundred and

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seventy-five; or under chapter two hundred and twenty-three of the laws of eighteen hundred and eighty; or under chapter five hundred and twenty-seven of the laws of eighteen hundred and seventy-three; or under chapter two hundred and five of the laws of eighteen hundred and seventy-five; but all places kept for summer resorts and the grounds of racing associations in the counties of New York, Kings, Queens, Nassau and Westchester, are hereby exempted from the provisions of this act.

§ 2. This act shall take effect September first, nineteen hundred and seven.

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INDUSTRIAL HYGIENE.

The "Dangerous Trades" in England.

The effect of occupation on health is a subject that engaged the attention of individual inquirers many years ago,* but until quite recently has not enlisted the interest of the general public. In various European countries the more dangerous or injurious trades have been defined and subjected to special regulations in the interest of the health of operatives; from such investigation we have official knowledge of at least the worst forms of industrial poisoning, as illustrated in the following English statistics regarding poisoning from lead, mercury, arsenic and phosphorus:

(From the Board of Trade Labor Gazette, March, 1907.)

Industry.	Cases.					Deaths.				
	1902	1903	1904	1905	1906	1902	1903	1904	1905	1906
LEAD POISONING.										
Smelting of metals	28	37	33	24	38	....	2	1	1	1
Sheet lead and lead piping	12	11	7	9	7	....	....	....	....	....
Printing	19	13	15	19	16	....	2	....	4	2
File cutting	27	24	20	12	15	1	2	4	....	....
Tinning and enameling of iron hollow ware	11	14	10	14	18	....	....	....	1	1
White lead works	143	109	116	90	108	1	2	2	1	7
Red and yellow lead works	13	6	11	10	6	....	....	....	....	....
China and earthenware	87	97	106	84	107	4	3	4	3	4
Litho transfer works	2	3	3	5	5	....	....	....	....	....
Glass cutting and polishing	8	4	....	3	4	2	....	....	....	1
Enameling of iron plates	3	4	3	2	4	1	....	....	....	....
Electrical accumulator works	16	28	33	27	26	1	....	....	1	....
Paints and colors	46	39	32	57	37	....	1	1	1	....
Coach making	63	74	49	56	85	1	5	4	3	7
Shipbuilding	15	24	48	32	26	1	1	....	2	1
Paint used in other industries	44	46	27	49	37	1	1	3	2	3
Other industries	92	81	84	99	93	1	....	7	4	6
Total—Lead poisoning*	629	614	597	592	632	14	19	26	23	33
House painting and plumbing†	179	201	227	163	181	32	39	39	28	36
MERCURIAL POISONING.										
Barometer and thermometer making	1	3	1	1	1	....	....	....	....	....
Furriers' processes	2	1	....	3	....	....	....	....	....	....
Other industries	5	4	2	4	3	....	....	....	....	....
Total	8	8	3	8	4	....	....	....	....	....
PHOSPHORUS POISONING.										
Lucifer match works	1	....	1	3	....	2	....	1	1	....
Other industries	....	....	....	....	....	....	....	....	....	....
Total	1	....	1	3	....	2	....	1	1	....
ARSENIC POISONING.										
Paints, colors and extraction of arsenic	5	3	3	....	2	....	....	....	....	....
Other industries	....	2	2	1	3	....	....	....	....	....
Total	5	5	5	1	5	....	....	....	....	....
ANTHRAX.										
Wool sorting	3	5	2	4	1	1	1	....	2	....
Wool combing	9	15	10	30	23	1	4	1	10	8
Handling of horse hair	10	7	12	7	10	2	1	4	1	4
Handling and sorting of hides and skins (tanners, fellmongers, etc.)	11	12	18	17	19	5	1	3	4	7
Other industries	5	8	8	1	14	....	5	2	1	3
Total—Anthrax	38	47	50	95	67	9	12	10	18	22

*Reportable under Factory and Workshop Act.
†Not reportable under Factory and Workshop Act.

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It appears that among the diseases contracted by workpeople in factories and workshops, lead poisoning is the one most frequently reported. During the year 1906 the number of cases of lead poisoning, which since 1901 had steadily declined, rose to 632, and the percentage of deaths to cases rose from 3.9 to 5.2. In addition to the cases of lead poisoning contracted in factories and workshops 181 cases of lead poisoning affecting house painters and plumbers were reported in 1906; the number of deaths was 36, a higher number than in 1905, but a lower one than in 1903 and 1904. Taking the period 1902–1906, the ratio of deaths in which lead-poisoning was entered as directly or indirectly the cause, to cases (omitting the glass-cutting and polishing industry, which reported 3 deaths in 19 cases), was highest in the printing trade, where it was 9.8 per cent, followed by file-cutting, with 7.1 per cent, and carriage making, with 6.1 per cent. In white lead works, from which the largest number of cases was reported, the percentage of deaths was 2.3 only; for all industries together the percentage was 3.8.

The five industrial diseases specified in the foregoing statistics have been classed with accidental injuries in the new Workmen's Compensation act, which was reproduced in its entirety in the March BULLETIN. Section 8, subd. 6, of that act, also empowered the Secretary of State to make orders for extending the provisions of the act to other diseases and processes and to injuries due to the nature of any specified employment not being injuries by accident. Under this authority the Home Secretary appointed a departmental committee of inquiry which has recently completed its investigations, and recommended eighteen additional diseases for inclusion in the act.

The distinction between "accidents" and "diseases" adopted by the Committee was that accidents are momentary occurrences, while diseases are gradually contracted, and this led to the exclusion of hydrocyanic acid gas poisoning. The provision of the act that compensation shall not be given for any incapacitation which lasts less than a week led to the exclusion of "brass molders' ague," "boiler makers' deafness," etc. The restriction that the disease

*In 1832 C. T. Thackrah published in London the second edition of his work on "The Effects of Arts, Trade and Profession....on Health and Longevity." The latest and most authoritative treatment of the subject in English is to be found in "The Dangerous Trades," edited by Thomas Oliver, M. D., London, 1902.

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must be specific to a particular trade or occupation caused the exclusion of general diseases like bronchitis, pneumonia, etc., even when they are apparently contracted by wage earners in their work-places.

The diseases or injuries which the Committee recommend to be added to the schedule, with the processes in respect of which such diseases or injuries are to be "deemed to be due to the nature of the employment," are shown in the following table:

Description of Disease or Injury.	Description of process.
1. Poisoning by nitro- and amido-derivatives of benzene (dinitro-benzol, anilin, and others), or its sequelæ.	Any process involving the use of a nitro- or amido-derivative of benzene, or its preparations or compounds.
2. Poisoning by carbon bisulphide or its sequelæ.	Any process involving the use of carbon bisulphide, or its preparations or compounds.
3. Poisoning by nitrous fumes or its sequelæ.	Any process in which nitrous fumes are evolved.
4. Poisoning by nickel carbonyl or its sequelæ.	Any process in which nickel carbonyl gas is evolved.
5. Arsenic poisoning or its sequelæ.	Handling of arsenic or its preparations or compounds.
6. Lead poisoning or its sequelæ.	Handling of lead or its preparations or compounds.
7. Poisoning by *Gonioma Kamassi* (African boxwood) or its sequelæ.	Any process in the manufacture of articles from *Gonioma Kamassi* (African boxwood).
8. Chrome ulceration or its sequelæ.	Any process involving the use of chromic acid or bi-chromate of ammonium, potassium, or sodium, or their preparations.
9. Eczematous ulceration of the skin, produced by dust or caustic or corrosive liquids, or ulceration of the mucous membrane of the nose or mouth produced by dust.	———
10. Epitheliomatous cancer or ulceration of the skin or of the corneal surface of the eye, due to pitch, tar, or tarry compounds.	Handling or use of pitch, tar, or tarry compounds.
11. Scrotal epithelioma (chimney-sweeps' cancer).	Chimney-sweeping.
12. Nystagmus.	Mining.
13. Glanders.	Care of any equine animal suffering from glanders, handling the carcase of such animal.
14. Compressed air illness or its sequelæ.	Any process carried on in compressed air.
15. Subcutaneous cellulitis of the hand (beat hand).	Mining.
16. Subcutaneous cellulitis over the patella (miners' beat knee).	Mining.
17. Acute bursitis over the elbow (miners' beat elbow).	Mining.
18. Inflammation of the synovial lining of the wrist joint and tendon sheaths.	Mining.

According to the *Labor Gazette*, June, 1907, the Home Secretary on May 22d issued an order extending the Compensation Act to the above-mentioned diseases and injuries.

Under a provision of the factory act, the Home Secretary has prescribed special rules or regulations for the following industries or processes:

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I. CHEMICAL WORKS.
- General.
- Paints and Colors (including arsenic extraction).
- Lead Compounds.
  - White Lead.
  - Yellow Chromate Lead.
  - Red and Orange Lead.
- Potassium and Sodium Compounds.

II. SMELTING AND CASTING.
- Lead Smelting.
- Mixing and Casting Brass, Gun Metal, Bell Metal, White Metal. Delta Metal, Phasphar Bronze, and Manilla Mixture.

III. TEXTILES.
- Wool, Goat Hair, and Camel Hair, sorting, washing, and combing and carding.
- Flax and Tow, spinning and weaving.
- Spinning, use of self-acting mules.
- Felt Hats.

IV. MANUFACTURING PLANTS.
- Earthenware and China.
- Metal Ware and Cooking Utensils (where lead or arsenic is used in tinning and enamelling).
- Explosives (Di-Nitro-Benzole).
- Lucifer Matches.
- Electric Accumulators.
- File Cutting by hand.

V. SPECIAL PROCESSESS OR OPERATIONS.
- India Rubber, vulcanizing.
- Aerated Water, bottling.
- Hides and Skins, handling when dry and dry salted.
- Locomotives and Other Rolling Stock, on Factory Sidings.
- Wharves, loading and unloading at or upon.

The Health of Printers.

The statistics of the British factory inspectors concerning cases of industrial poisoning undoubtedly point out the industries that breed the most distinct diseases of occupation, but outside of these conspicuously dangerous trades there are many industrial processes that are attended with serious risks to the health of the workers. The largest class of such occupations is probably the dust-producing group including metal workers, potters and stone workers, textile workers, etc., and in addition to these, many indoor occupations not necessarily unhealthy are as a matter of fact made so by neglect of suitable methods of ventilation, etc. Among such occupations that of the printer occupies a prominent position.

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The science and art of vital statistics are still in their infancy in this country and it is impossible to derive from the census reports, the principal source of information, the knowledge of occupational mortality that is required for a well-considered policy of safeguarding the health of wage earners. In the case of the printers, for example, the Census Report (Twelfth Census, 1900, Vol. III, p. cclxxxiii) does indeed call attention to the unusual prevalence of consumption in the trade, which has a death rate (435.9 per 100,000) from this cause nearly twice as high as the average for all occupied males (236.7); but the Report credits the printing trade with a general death rate that is very low in comparison with other occupations. For all occupied males it reported a death-rate of 15 per 1,000; for compositors, printers and pressmen, 12.1 per 1,000; for farmers, planters and farm laborers 17.6 per 1,000, whence it would appear that the occupation of the printer is vastly more healthy than that of the farmer. Nothing could be further from the truth, the relatively high death rate of farmers being in fact due to the actual longevity of farmers. An analysis of the mortality statistics by age will reveal the fallacy of the general death rate as a basis for comparing the healthfulness of various occupations:

MORTALITY (DEATHS TO 1,000 LIVING)—

AGES.	Farmers.	Printers.	Mortality of printers to that of farmers, the latter taken as 100.
15–24 years	3.7	5.0	135
25–44 years	4.6	12.3	267
45–64 years	13.2	20.0	151
65 years and over	96.8	108.8	112
Proportion of population aged 65 years and upwards	11.5	1.5	....

At every age the mortality of printers considerably exceeds that among farmers and during the most active years of life (25–44 years) it is two and a half times as great, thus reversing the conclusion derived from the general death rate. An explanation is to be found in the last line of the table which shows that one of every ten farmers is more than 65 years old, whereas only one in a hundred belongs to this group among the printers; and in this group of persons the relative number of deaths is of course very large in comparison with the ages 15–44, when few deaths occur in any

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normal population. It is for this reason that mortality in an unsanitary army camp may be scandalously excessive, while its general death-rate remains below that of a healthy community which has its due proportion of infants and aged people.

The importance of age-grouping as an influence upon the death-rate is recognized in the English vital statistics, which constitute the most authoritative body of information in existence respecting occupational mortality. The decennial supplement to the reports of the Registrar-General of England furnish a comparative mortality figure for every important occupation pursued by males, which is so calculated as to remove the difference as to age in the different trades and professions. Taking the mortality figure for all males as the standard of comparison (1,000), it is found that the greatest mortality exists among dock laborers (1,829) and the slightest among clergymen (533). The mortality figure for agriculturists (602) may be regarded as the normal rate in work pursued under healthful conditions. Compared with this rate, the mortality figure for printers (1,096) is abnormal; while mortality from diseases of the lungs is particularly excessive among printers, being 540 as against 221 among agriculturists, and from consumption alone printers sustain a mortality three times as great as that which prevails among the agricultural class.

Writing in 1881 of the sanitary condition of bookbinders and printers, Dr. Ogle speaks of both of them in common as "carrying on their industries under notoriously unhealthy conditions, in ill-ventilated rooms, and in an atmosphere unduly heated by engines, stoves, and flaring gas-lights." The decline in the death rates, as compared with the earlier records, he attributes to the improvements effected by the factory inspectors since these trades came under their supervision. Further on he writes, with respect to their mortality: "Excepting costermongers * * * and those industries in which the workman is exposed to the inhalation of dusts, such as file makers, potters, and Cornish miners, there is no industry in the table in which the mortality from phthisis approaches to that of printers." Writing in 1901, Dr. Tatham, the present Registrar-General, notes a still further improvement in the printing trade by reason of the supervision of the factory inspectors, although the mortality from tuberculosis of the lungs, as previously noted, remains excessive.

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The introduction of type casting machines in connection with machine composition has added to the disagreeable surroundings of the printer the offensive fumes of the molten lead, and the factory inspectors of this state have from time to time been called upon to investigate complaints of inadequate ventilation, etc.; it may be noted, parenthetically, that as a result of an inspection of a certain metropolitan printing office last year, several wagon loads of accumulated refuse and material were carted away. The close connection between shop sanitation and health is revealed by some statistics of mutual benefit associations in the printers' trade collected by Statistician George A. Stevens for a special report on the "Health of Printers," which he has contributed to the Twenty-fourth Annual Report of the Bureau of Labor Statistics, now in press. The following table presents the principal results for ten societies, connected with as many different establishments, for the five-year period 1901–5:

SANITARY CONDITION IN EACH ESTABLISHMENT.	Average membership of benefit society.	Average number of cases of disability.	Percentage of disability cases.	Average period of disability per member per annum.
A. Very unclean; melting pots unpiped	240	36	14.9	4.6 days
B. Clean; best of ventilation	170	16	9.9	†4.9 "
C. Clean; melting pots-unpiped	141	22	15.9	4.3 "
D. *Bad shop conditions	142	22	15.8	5.4 "
E. Good shop conditions	71	4	6.2	1.3 "
F. Good shop conditions; no machines	69	6	9.0	3.9 "
G. Melting pots unpiped	49	10	20.1	4.9 "
H. High ceiling and good ventilation	45	5	12.1	5.7 "
I. Large room; melting pots unpiped	36	3	9.6	3.6 "
J.	31	6	19.4	5.7 "
All societies	994	132	13.3	4.5 days

The average membership of the ten societies ranged from 31 to 240 and the number of cases of disability involving the payment of benefits varied from 3 to 36 a year. The ratio of disability cases to membership varied from 6.2 per cent to 20.1 per cent, with an average of 13.3 per cent. Benefits are paid for disablement from accidents as well as sickness and in one or two of the establishments with good sanitation there were numerous minor injuries which led to the payment of benefits. The average duration of disability was 4½ days per annum for each member.

*Members mainly bookbinders (women).
†Many accidents.

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It is interesting to compare these results with those of a similar investigation in Copenhagen, which appear as a supplement to the report of the factory inspectors of Denmark for the year 1905–6.

NEW YORK CITY.	Average membership.	Cases of disability.	Percentage of cases.	Total days.	Duration of disability per case.
1901.....	887	114	12.9	3,118	3.5
1902.....	944	106	11.2	3,152	3.3
1903.....	1,003	141	14.0	4,703	4.7
1904.....	1,058	141	13.3	4,216	4.0
1905.....	1,068	159	14.9	7,199	6.7
Yearly average.....	992	132	13.3	4,478	4.5
COPENHAGEN, 1899–1905.....	1,294	.....	18.0	.....	7.2–8.1

It appears from the foregoing figures that there is less sickness among the printers of New York than among those of Copenhagen, particularly as the latter's percentage of disability appears to express the proportion of members that received sick benefits, whereas the New York ratio refers to the number of cases and thus counts many individuals more than once (beneficiaries 502, cases of disability 661). Of the total duration of disability in New York (22,388 days), about 13 per cent (2,915 days) is attributable to tuberculosis, while in Copenhagen the proportion is said to be about one-fifth. In one respect, however, the New York experience is less favorable than the Danish; the annual death-rate being 9.1 per 1,000 members as against 6.8 per 1,000 in Copenhagen.

The New York Bureau in its report presents the mortality experience of the Typographical Union as well as the morbidity statistics of the ten local beneficiary societies:

MORTALITY EXPERIENCE OF TYPOGRAPHICAL UNION, 1905.

	Members (average).	DEATHS. Number.	DEATHS. Per 1,000 Members.	Mean death rate, 1901–5.
New York City.....	6,733	114	16.93	16.32
New York State, exclusive of the city.....	2,589	25	9.66	11.14
Chicago.....	3,330	30	9.01	10.12
Philadelphia.....	1,107	14	12.65	12.35
All other United States.....	30,856	346	11.21	12.20
Total, United States.....	44,615	529	11.86	12.63
London, Eng.....	11,383	151	13.27	12.19

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The death-rate among the printers of London is about the same as that of the entire United States, which is also the rate in Philadelphia. The Chicago death-rate is lower while that of New York is much higher. More accurate is the death-rate for each age-period, thus:

DEATHS PER 1,000 MEMBERS OF EACH SPECIFIED AGE-PERIOD, 1901–5.

	New York City.	Other New York.	Chicago.	Philadelphia.	London
20–29 years	8.5	16.0	11.2	8.6	7.4
30–39 "	24.4	27.2	25.5	17.1	22.3
40–49 "	30.1	18.4	28.7	18.6	22.4
50–59 "	17.9	15.2	17.0	10.0	19.8
60 years and upward	19.1	23.2	17.6	45.7	28.1

In the foregoing table, the comparison does not put New York City in so bad a light. Between the ages of 20 and 29 years, the metropolitan printers have a lower mortality than those of Philadelphia and Chicago, while between the ages of 30 and 40, the New York and Chicago rates are nearly equal. Over 50 years of age the New York rate is below that of London. But in the prime of life (40–50 years) the mortality of New York printers is abnormally high and is due to the prevalence of consumption and other diseases of the respiratory system, thus:

MEAN DEATH RATE, 1901–5, FROM—

	Consumption.	Pneumonia.	All diseases of respiratory system.
Adult population (20 years and upward):			
London (registration)	3.22	.....	.....
New York City	2.29	.....	.....
Compositors in—			
New York City	3.82	2.42	7.17
Other New York	2.54	0.97	4.04
Chicago	2.42	1.57	4.11
Philadelphia	3.65	0.70	5.04
Other U. S.	3.38	1.07	4.70
London	3.69	0.67	5.50

While in the whole adult population the mortality from consumption is higher in London than in New York, the reverse is true of compositors. Even more striking is the high mortality of New York compositors from pneumonia and other diseases of the respiratory system, which is largely caused by defective ventilation and poor sanitation. Mr. Stevens declares that —

"If composing rooms were well-ventilated, if the floors were frequently scrubbed with hot soapy water, if the windows were periodically cleaned, if the walls and ceilings were annually washed or freshened with paint or lime-

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wash, and lastly, but vitally important, if linotype machines were piped so that the noxious fumes could be drawn by a blower system from the melting pots and discharged in the outer air, the health of printers would show immediate improvement and the death rate among them from tuberculosis and other diseases would be materially lessened. While the Labor Law contains a section in regard to ventilation its terms are not broad enough, no provision being made in the statute covering the emission of injurious gases or vapors in work rooms. The law should be amended so as to provide for the suitable disposal of fumes emitted from the metal pots attached to linotype or other type-casting machines in all printing establishments, thereby obviating unnecessary danger or detriment to the life or health of any compositor or other employee who is obliged to work in a room in which such machines are installed.*

"The British Factory and Workshop Act stipulates that in every room in a factory or workshop sufficient means of ventilation shall be provided and sufficient ventilation shall be maintained. Every shop 'must be ventilated in such a manner as to render harmless, so far as is practicable, all the gases, vapors, dust, or other impurities generated in the course of the manufacturing process or handicraft carried on therein, that may be injurious to health.' The act also provides that every factory must be kept in a cleanly state and free from effluvia. It further requires that 'all the inside walls of the rooms of a factory and all the ceilings or tops of those rooms (whether those walls, ceilings or tops are plastered or not), and all the passages and staircases of a factory, if they have not been painted with oil or varnished once at least within seven years shall be limewashed once at least within every fourteen months, to date from the time when they were last limewashed; and if they have been so painted or varnished shall be washed with hot water and soap once at least within every fourteen months, to date from the time when they were last washed.' The remodeling of printing houses in London in recent years and the operation of the foregoing factory acts have greatly benefited the health of compositors in that city and have directly caused a gradual reduction of their death rate from pulmonary tuberculosis.

"The Federal Council of the German Empire, cognizant of the unhealthful surroundings in which compositors and other printing-house workmen carried on their employment, put into effect on July 31, 1897, special regulations in letter-press printing works and type foundries, pursuant to section 120-e of the Industrial Code. These rules provide ample light for every part of the work. Windows must be so constructed that they will open sufficiently to admit of a complete renewal of air at least once a day, and during working hours means are taken to secure constant ventilation. Moreover, vessels containing molten type metal must be covered with hoods provided with exhaust ventilation to draw the fumes to the outer air. The printer is, therefore, enabled to breathe pure air while employed. Cellar shops are practically forbidden, for the rules provide that the floor of a workroom can not be depressed more than 1.64 feet below a street surface, unless hygienic conditions are secured by a dry area and the room is amply lighted and ventilated, in which event the higher administrative authority may grant an exception. In composing rooms the air space allowed to each person is 423.79 cubic feet. The regulations in

*By chapter 490 of the laws of 1907 (see page 225 *ante*), the statute has been changed so as to authorize the factory inspector to require proper ventilation and to order the removal of noxious gases, etc.

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regard to cleansing work places are very explicit. They state that floors must be impervious so that they can be cleaned of dust daily by moist methods. Compositors' stands for type cases 'must be either closely ranged round the room on the floor so that no dust can collect underneath, or be fitted with long legs so that the floor can be easily cleaned of dust underneath.' Type boxes have to be dusted out with bellows not less than twice annually out-of-doors. Walls and ceilings must be either washed with water, painted or lime-washed at least once a year, while rooms and fittings are required to be thoroughly cleaned twice yearly. Means of artificial lighting that cause a rise in the temperature of workrooms must be provided with counteracting measures so as to prevent the heat from being unduly raised. Sufficient washing appliances, with soap and at least one towel a week for each worker, are required. Personal hygiene is mandatory, the employer being compelled to make strict provision for the use of the washing appliances by workers before every meal and before leaving work.' Expectorating upon the floor of a composing room is an offense against the law, and one cuspidor filled with water is provided for the use of every five workmen. The good effect of this salutary measure is mirrored in the 1905 mortality statistics furnished to the writer by the National Organization of Printers of Germany. The average membership of the union in that year was 44,236, of whom 283, or 6.40 per 1,000 died from all causes, while 134 of the total were affected with diseases of the respiratory system, from which the death rate was 3.03, tuberculosis not being separated in the tabular presentation. Both ratios were exceedingly small when contrasted with the mortality proportions among printers in this country, and clearly show the excellent results that accrue from improved sanitation in workrooms.

"Aside from the vague provision relating to ventilation,* the requirements as to the amount of cubic air space that shall be allotted to each worker, suitable toilet conveniences, and the lime-washing or painting of walls and ceilings when in the judgment of an inspector it will be conducive to the health of work people, the Labor Law of this state is sadly deficient with respect to the thorough cleansing and purification of factory workrooms, their furnishings and equipment. Enactments regarding sanitation similar to those of Germany and Great Britain would be welcome here. They would guarantee a longer and happier life for the artisan by preventing physical deterioration, and by thus preserving the full bodily health of the individual worker not only would the community economize in its expenditures for hospital service, but productivity and the consuming power would be so largely augmented that every factory proprietor would be certain to reap an increased return from his investment. So also would the general public be benefited, for, to Anglicize a Latin maxim, 'the health of the citizen is the wealth of the state.'"

*Since this was written, the Legislature amended the law (Chapter 490 of the Laws of 1907 reprinted elsewhere in this issue), in accordance with the recommendations of the Commissioner of Labor, so as to ensure a supply of pure air to factory employees.

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RECENT LABOR REPORTS.

UNITED STATES.

Bulletin of the Bureau of Labor, No. 68, January, 1907, 243 pages. No. 69, March, 234 pages.

Contents of No. 68: Free public employment offices in the United States, by J. E. Conner, pages 1–115; Laws of foreign countries relating to employees on railroads, by Lindley D. Clark, pages 116–138; digest of recent reports of state bureau of labor statistics, pages 139–152; digest of recent foreign statistical publications, pages 153–172; opinions of the attorney-general and decisions of courts affecting labor, pages 173–228; laws of various states relating to labor, enacted since January 1, 1904, pages 229–238.

Bulletin No. 69 contains the annual report on wholesale prices (1890–1906) pages 239–420, and the usual digests, etc.

IDAHO.

The State of Idaho: [third biennial] official report of the bureau of immigration, labor and statistics, 1905–6. Allen Miller, commissioner. Boise, 1907. 211 pages, map and illustrations.

Contents: Chapter I, historical sketch, pages 7–15; chapter II, topography, pages, 16–18; chapter III, climate, pages 19–25; chapter IV, resources, pages 26–50; chapter V, industries, pages 51–80; chapter VI, manner of acquiring title to lands, pages, 81–106; chapter VII, Labor Unions, pages 109–112; chapter VIII, education, pages 113–139; chapter IX, state, county and precinct government, pages 140–146; chapter X, state institutions, pages 147–152; chapter XI, railroads, telegraphs, telephones and steamboats, pages 154–158; chapter XII, counties of the state, pages 159–201; chapter XIII, progress of Idaho, pages 202–211.

MARYLAND.

Fifteenth annual report of the bureau of statistics and information of Maryland, 1906. Charles J. Fox, chief. Baltimore, 1907, 214 pages, map and tables.

Contents: Enforcement of the child labor law, pages 11–46; inspection of clothing and other manufactures, pages 47–693; strikes and lockouts, including activity of bureau in arbitrating disputes, pages 70–124; the free employment agency, pages 125–132; the cost of living, pages 133–152; labor organizations, pages 153–163; farm products, pages 164–166; new incorporations, pages 167–191; immigration, reports of state departments, conferences and conventions, financial statement, etc., pages 192–214.

MASSACHUSETTS.

Labor bulletin of the commonwealth of Massachusetts; published by the bureau of statistics of labor. Nos. 45–49, (January, February, March April, May).

No. 45 contains articles on income and inheritance taxes (opinions); railroad pensions in the United States and Canada (digest of the 1905 report of M. Riebenack, comptroller of the Pennsylvania Railroad Company; trade union notes; industrial agreements; recent court decisions relating to labor; current

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comment on labor questions, excerpts, statistical abstracts and bibliography of magazine articles on labor topics, 1906.

No. 46 contains articles on unemployment in Massachusetts (state census of 1905); operations of the Massachusetts free employment office; insurance against unemployment in foreign countries (digest of the recent report by the Imperial Statistical Bureau of Germany); the metropolitan district (Boston); digest of labor legislation in the United States and Canada 1906; agreements, excerpts, abstracts, etc.

No. 47 contains articles on distributive co-operation in New England; industrial education for shoe workers; technical education in England and the United States (from Shadwell's "Industrial Efficiency"); state free employment office; digest of labor legislation in foreign countries, 1906; current comment, excerpts, abstracts, etc.

No. 48 contains the first article in a series on manufactures in Massachusetts and other states, 1900–05; the German workman, by W. H. Dawson; postal savings banks in foreign countries; the state free employment office; trade union notes, agreements, excerpts, abstracts, etc.

No. 49 contains the second article on manufactures in 1900–05, being comparisons for 300 cities; immigrant aliens destined for Massachusetts, 1897–1906; average retail prices, April 1907; state free employment office; record of strikes and lockouts, fourth quarter, 1906, and summary for year; court, decisions, excerpts, abstracts, etc.

MICHIGAN.

Twenty-fourth annual report of the bureau of labor and industrial statistics, including the fourteenth annual report of state inspection of factories. M. J. McLeod, commissioner of labor. Lansing, 1907, pages xv, 535, illustrations.

Contains twenty chapters, in addition to Introduction and Recommendations. The main divisions are as follows: Inspection of factories, stores, hotels, etc., chapters I–X, pages 1–336; statistics of labor unions, pages 339–382; report of state court of mediation and conciliation on labor disturbances in 1906, pages 382–386; free employment bureaus (Detroit and Grand Rapids), pages 387–399; statistics of wages (in factories), pages 400–417; prison statistics, pages 418–435; particular industries in Michigan (beet sugar, cement, brick, tanneries, wire fence), pages 436–491; motive power used in manufacturing, pages 492–500; individual manufacturing concerns, pages 501–517; the coal industry in Michigan, report of inspector of coal mines, pages 518–535.

MISSOURI.

Twenty-eighth annual report of the bureau of labor statistics and inspection of the State of Missouri for the year ending November 5, 1906. William Anderson, commissioner of labor. Jefferson City, pages viii, 572.

Contents: Surplus products and shipments of each county, public lands, etc., pages 1–84; statistics of manufactures 1905, pages 85–499; labor organizations, pages 500–567; free employment department, pages 568–571.

MONTANA.

Tenth report of the bureau of agriculture, labor and industry of the state of Montana, for the year ending November 30, 1906. J. A. Ferguson, commissioner. Helena, 478 pages (illustrated).

Contents: Lands, pages 7–62; irrigation, pages 63–124; agriculture and stock raising, pages 125–200; labor and "freedom of contract," pages 201–207;

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child labor, pages 208–210; employers' liability act, 211–213; the eight-hour law, including the decision of the state Supreme Court, December 13, 1906, sustaining the constitutionality of the Montana act, pages 214–226; hours of labor of railway employees, pages 227–229; enforcement of labor laws, wages, etc., pages 230–237; directory of labor organizations, pages 238–242; Butte and Great Falls free employment offices, pages 243–245; mining and manufacturing industries, pages 246–303; miscellaneous social and political statistics, pages 304–468.

NEBRASKA.

Annual bulletin, No. V., of the state bureau of statistics, December, 1906. Burrett Bush, deputy commissioner. Lincoln, 1907, 128 pages.

Part I — Summary of Nebraska counties. Part II — Freight rates and shipments in Nebraska.

OHIO.

Thirtieth annual report of the bureau of labor statistics for the year 1906. M. D. Ratchford, commissioner. Columbus, 1907, 671 pages.

Contents: Part I, laws governing the bureau, recent labor laws and court decisions, pages 13–35; II, statistics of manufactures, pages 37–388; III, coal mining, pages 389–610; IV, prison labor, pages 611–616; V, sweat shops in Cleveland and Cincinnati, pages 617–639; VI, free public employment offices in Ohio, pages 641–663.

OREGON.

Second biennial report of the bureau of labor statistics and inspector of factories and workshops of the state of Oregon, from October 1, 1904 to September 30, 1906. O. P. Hoff, commissioner. Salem, 1907, 229 pages.

Contains statistics of wages and production in manufactures, agriculture, transportation, etc.; population and resources of counties and towns; labor and factory laws and their enforcement; accidents; labor organizations — membership, dues, benefits, wages and hours.

RHODE ISLAND.

Thirteenth annual report of inspections of factories, mercantile establishments and workshops, 1906. J. Ellery Hudson, chief factory inspector. Providence, 131 pages (illustrated).

The following summary is given of the factory inspector's work from the beginning:

YEAR.	Number of places visited.	Number of adults employed.	Number of children employed.	Total number employed.	Percentage of children.
1894	294	55,109	5,217	60,326	8.5
1895	293	53,523	4,473	57,996	7.7
1896	379	50,068	4,065	54,133	7.5
1897	355	56,072	4,786	60,858	7.9
1898	433	63,259	4,539	67,798	6.5
1899	549	72,296	4,666	76,692	6.0
1900	595	76,552	5,253	81,805	6.4
1901	617	81,496	5,068	86,564	5.8
1902	628	86,043	5,477	91,520	6.0
1903	644	90,165	6,451	96,616	6.7
1904	653	88,545	5,895	94,444	6.2
1905	1,508	112,377	6,917	119,249	5.8
1906	1,742	123,112	6,932	130,044	5.3

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UTAH.

Sixth annual report of the bureau of statistics of the state of Utah for the year 1906. Fred. W. Price, commissioner. Salt Lake City, 1907, 141 pages (paper).

VIRGINIA.

Ninth annual report of the bureau of labor and industrial statistics, for the state of Virginia, 1906. James B. Doherty, commissioner. Richmond, 1907, 318 pages.

Contents: Statistics of production and wages in manufactures, coal mines and railways, pages 7–246; report of the special agent on inspection of factories and child labor, pages 247–251; labor laws of Virginia (pages 252–280).

WASHINGTON.

Fifth biennial report of the bureau of labor statistics and factory inspection, 1905–6. Chas. F. Hubbard, commissioner. Olympia, 1906, 355 pages. Includes also twelfth report of state inspection of coal mines, 72 pages.

Contents: Recommendations to the Legislature, pages 9–24; factory inspection and enforcement of labor laws, pages 25–76; cost of living, pages 77–83; statistics of organized labor, pages 85–105; statistics of wage earners, in commerce, trade, transportation, and agriculture, pages 109–141; convict labor, pages 142–143; free employment offices in Seattle, Spokane and Tacoma, pages 144–162; accidents, pages 163–174; strikes and lockouts, pages 175–206; statistics of manufactures, pages 207–258; capital and labor (opinions), pages 259–289; supreme court decisions, pages 291–309; Washington labor laws, pages 311–355. Coal mine inspector's report, appended, contains statistics of coal production, accidents, wages, etc.

WISCONSIN.

Twelfth biennial report of the bureau of labor and industrial statistics, state of Wisconsin, 1905–6. J. D. Beck, commissioner. Madison, 1906, pages xiv, 1379, map and illustrations.

Contents: Part I. The co-operative store in the United States, by Ira B. Cross, pages 1–70; II. The statistical aspect of the strike, by Grover G. Huebner, pages 71–148 (reaches the conclusion that strikes in the United States are increasing rapidly as respects absolute numbers and slowly as compared with the growth of industry, that the character of the strike is changing, and wages and hours, although still the most important causes, are diminishing in importance while phases of collective bargaining have an increasing importance); III. Liquor traffic in Wisconsin, pages 150–266; IV. The housing problem in Wisconsin, pages 267–354; V. Wisconsin's resources, industries and opportunities, pages 755–878; VI. Manufacturing returns, 1904–5, pages 879–1162; VII. Factory and bakery inspection, pages 1163–1346; free employment offices, pages 1347–1360; chronicle of industrial events, pages 1361–1379. The report lists the following co-operative stores in New York:

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NAME AND LOCATION.	Year established.	Capital stock.	Sales.	Expenses.	No. of employees.
Boonville Union, Boonville	1890	$5,000	$12,255 56	$1,000 00	1
Co-op. Store, Delhi					
Deposit Co-op. Co., Deposit	1894	4,000	26,787 66		4
Mohawk Valley Co-op. Co., Ft. Plain					
Grangers' Exchange, Herkimer	1894	4,000	81,102 49	6,396 97	7
Cornell University Co-op. Store, Ithaca	1895		50,000 00	6,500 00	6
Jamestown Co-op. S. Co., Jamestown	1892	2,464	19,211 02	3,228 97	3
Leyden Union, Leyden					
Grangers' Mer. Assn., Little Falls					
N. Y. Ind. Co-op. Society, N. Y. City	1902	25,000	65,576 72	19,902 03	12
Poland Union Store, Poland					
Port Jervis Co-op. Assn., Port Jervis	1877	10,000	57,342 90		7
Co-op. Store, Scottville					
Syracuse Un. Co-op. St., Syracuse					
Leyden Union, Talcottville	1899	3,000	13,000 00	1,400 00	2
Leyden Exchange, Talcottville					
Totals		$53,464	$325,276 35	$38,427 97	42

FOREIGN COUNTRIES.

AUSTRALIA.

First annual report of the director of labor, state labor bureau of New South Wales, for the year ending June 30, 1906. Sydney, 1906, 61 pages, quarto (paper bound).

The Commissioners of Labor of New South Wales have given way to a single Director of Labor, at the head of a bureau, the functions of which remain the same as those of the former commission,— namely the placing of unemployed workmen.

The industrial arbitration reports and records, New South Wales. Vol. V, 1906 (published under the direction of the honorable, the attorney-general.) Edited by G. C. Addison, registrar. In five parts; pages 422, lvi, xxiii (unbound).

AUSTRIA.

Bericht über die tätigkeit des k. k. arbeitsstatistischen amtes im handelsministerium während des jahres 1906. V. Mataja, chief. Vienna, 1907, 29 pages (paper bound).

BELGIUM.

Monographies industrielles: Industries céramiques. Office du travail et inspection de l'industrie. Bruxelles, 1907, pages xvi, 242 (paper), illustrated.

The Belgian Bureau of Labor publishes the fourth volume in its series of monographs on the economic, technical and commercial phases of the manufactures of Belgium. The present number is concerned with the group of manufactures included in the term ceramics.

Statistique des grèves en Belgique, 1901–5. Office du travail, Bruxelles, 1907, pages lx, 247 (paper).

Four years ago the Belgian Bureau of Labor published a report on industrial disputes in the period 1896–1900; in the present volume the record is continued through the years 1901–5.

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CANADA.

Wage earners by occupation: Bulletin 1 of the census and statistics office, Ottawa, 1907, pages xxviii, 105, xxx (paper cover).

Seventh report of the bureau of labor of the province of Ontario for the year ending December, 31, 1906. John Armstrong, secretary. Toronto, 1907, 198 pages.

Contains reports and directory of labor organizations in Ontario, pages 20–62; industrial returns from manufacturers, pages 75–95; the labor laws of Ontario, pages 151–195; and quotations from the labor reports of Canada, Great Britain, Australia, the United States, etc.

GERMANY.

Jahresbericht über die Durchführung des Kinderschutzgesetzes im Jahre, 1906..erstattet von den Grossherzoglich Hessischen Gewerbeinspektionen. Herausgegeben im auftrage des Grossh. Hess. Ministeriums des Innern, Darmstadt, 1907, 95 pages (paper covers).

HUNGARY.

Annuaire statistique hongrois, Nouveau cours XIII (1905). Par ordre de M. le Ministre Royal Hongrois du Commerce, rédigé et publié par l'Office Central de Statistique der Royaume de Hongrie. Budapest, 1907, pages xxx, 523.

Reports of the inspectors of factories and industries, 1905 (In the Magyar language). Budapest, 1906, pages lxviii, 610 (paper).

Accidents in Hungarian factories, 1900–5 (In the Magyar language). Budapest, 1907, pages 56 (paper).

Dwellings for agricultural laborers. Portfolio of designs, accompanying text in the Magyar language. Budapest, 1906.

These official Hungarian publications are forwarded by the new Musée Social in the Ministry of Commerce.

ITALY.

Saggio bibliografico degli articoli contenuti in riviste italine e straniere sulle questioni del lavoro. Anno III, 1906. Ufficio del Lavoro, Rome, 1907, 57 pages (printed on one side only, paper bound).

The third issue by the Italian Bureau of Labor of its current bibliography of magazine and review articles on labor problems covers the publications of 1906. All countries are included and titles are quoted in the original language.

NETHERLANDS.

Statistiek van de berechting der overtredingen van de Arbeids- en Veiligheidswetten in 1905. (Bijdragen tot de statistiek van Nederland, LXXVIII) Centraal Bureau voor de Statistiek, The Hague, 1906, 48 pages (paper cover).

A statistical report respecting the judicial proceedings for contravention of the labor laws in 1905.

SPAIN.

Estadistica de la asociacion obrera en 1 de Novembre de 1904. Instituto de Reformas Sociales, Madrid, 1907, pages 288 and charts (paper bound).

Museos de hygiene y securidad del trabajo; descripcion de los mas importantes de Europa, por José Marva y Mayer, jefe de la seccion segunda. Madrid, 1907, 87 pages and illustrations (paper).

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Preparacion de las bases para un proyecto de ley de casas para obreros; casas baratas. Madrid, 1907, 459 pages and diagrams.

Informe acerca de la fabrica y de los obreros de mieres por D. Julio Puyol y Alonso, secretario general del Instituto. Madrid, 1907, 41 pages (paper).

Four recent publications of the Spanish Bureau of Social Reforms, corresponding to the bureaus of labor statistics in the United States. The first contains statistics of Spanish labor organizations in 1904, the second treats of European museums of social security and hygiene, the third is a comprehensive report on workingmen's houses, with digests of the foreign legislation, bibliographies, etc., and the fourth describes an important mining and industrial community.

SWEDEN.

Bidrog till Sveriges officiella statistik: Fabriker och handtverk. Kommerskollegii underdaniga berättelse för ar 1905. Stockholm, 1907, pages xxxii+120, quarto (paper cover).

The annual report of the Swedish Department of Commerce on manufacturing industries and hand trades for 1905 contains reports from 11,949 factories employing 280,995 workmen and producing goods of the value of 1,676,173,000 francs ($335,234,000), which is somewhat less than the output of the factories of the state of Connecticut in the same year.

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APPENDIX.

STATISTICAL TABLES.

I. Employment and earnings of organized wage workers, in the first quarter (January February and March): (a). Males. (b). Females.

II. Causes of idleness among organized wage workers at the end of March.

III. Number of labor unions and number of members thereof, in New York State and in each of the leading cities (April 1, 1907).

IV. Building operations in the principal cities (January 1–March 31):

(a). New York City.

(b). Buffalo, Rochester, Syracuse and Troy.

V. Immigration at the Port of New York in the first quarter.

VI. Immigration to the United States, 1898–1904, according to nationality and race.

VII. Record of the Deputy Factory Inspectors, January, February and March.

VIII. Number of children's employment certificates issued by local health authorities in first and second class cities.

IX. Licenses granted for manufacturing in tenements, January–March.

X. Accidents reported by managers of factories and quarries, January–March:

(a). Age and sex of persons injured.

(b). Causes and results of accidents.

XI. Fatal accidents reported in year ended September 30, 1906.

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TABLE I.—EMPLOYMENT AND EARNINGS OF ORGANIZED WAGE WORKERS IN

INDUSTRIES OR GROUPS OF TRADES.	Number of wage earners reporting.	THEREOF IDLE.		NUMBER EMPLOYED.			
		Number.	Per cent.	Aggregate.	1–29 days.	30–59 days.	60–79 days.
1. Building, Stone Working, Etc	**143,680**	**42,009**	**29.2**	**101,034**	**11,617**	**42,969**	**44,912**
Stone working	7,403	1,362	18.4	6,015	654	1,696	3,665
Building and paving trades	96,694	16,510	17.1	79,643	10,475	28,502	39,150
Building and street labor	39,583	24,137	61.0	15,376	488	12,771	2,097
2. Transportation	**65,199**	**6,347**	**9.7**	**53,882**	**179**	**4,114**	**15,225**
Railways	24,989	251	1.0	24,068	84	314	3,145
Navigation	12,295	4,854	39.5	7,180	22	799	530
Teaming and cab driving	17,079	219	1.3	16,796	.....	1,017	8,973
Freight handling	6,199	1,023	16.5	4,470	73	1,984	2,362
Telegraphs	4,637	.....	0.0	1,368	.....	.....	215
3. Clothing and Textiles	**32,250**	**691**	**2.1**	**31,485**	**111**	**8,443**	**22,606**
Garments	21,339	451	2.1	20,888	101	5,639	14,831
Shirts, collars and laundry	1,462	.....	0.0	1,462	.....	110	1,352
Hats, caps and furs	3,870	139	3.6	3,712	8	2,232	1,472
Boots, shoes and gloves	2,976	52	1.7	2,884	2	181	2,701
Textiles	2,603	49	1.9	2,539	.....	281	2,250
4. Metals, Machinery and Shipbuilding	**38,887**	**800**	**2.1**	**37,896**	**308**	**1,896**	**34,961**
Iron and steel	32,630	585	1.8	31,872	149	1,290	29,924
Other metals	4,350	64	1.5	4,268	60	369	3,715
Shipbuilding	1,907	151	7.9	1,756	99	237	1,322
5. Printing, Binding, Etc	**24,443**	**1,920**	**7.9**	**22,416**	**92**	**477**	**20,451**
6. Wood Working and Furniture	**12,133**	**942**	**7.8**	**10,528**	**214**	**1,639**	**8,665**
7. Food and Liquors	**13,771**	**412**	**3.0**	**13,359**	**302**	**191**	**12,083**
Food products	6,570	220	3.3	6,350	300	145	5,825
Beverages	7,201	192	2.7	7,009	2	46	6,258
8. Theaters and Music	**8,994**	**1,181**	**13.1**	**3,404**	**180**	**315**	**2,600**
9. Tobacco	**9,032**	**190**	**2.1**	**8,834**	**2**	**238**	**8,594**
10. Restaurants and Retail Trade	**7,685**	**72**	**0.9**	**7,475**	**25**	**229**	**5,236**
Hotels and restaurants	6,005	67	1.1	5,850	9	226	3,805
Retail trade	1,680	5	0.3	1,625	16	3	1,431
11. Public Employment	**9,250**	**145**	**1.6**	**9,068**	**501**	**1,119**	**612**
12. Stationary Engine Men	**13,886**	**212**	**1.5**	**12,404**	.....	**241**	**6,170**
13. Miscellaneous	**13,037**	**282**	**2.2**	**10,688**	**73**	**354**	**9,813**
Paper and paper goods	3,465	1	+0.0	3,293	2	9	3,023
Barbering	2,737	11	0.4	2,726	6	3	2,595
Leather and leather goods	1,169	33	2.8	1,136	.....	135	1,001
Glass and glassware	1,261	26	2.1	1,235	.....	5	1,230
Cement and clay products	679	138	20.3	541	32	184	325
Other distinct trades	2,150	69	3.2	1,585	32	11	1,491
Mixed employment	1,576	4	0.3	172	1	7	148
Grand Total	**392,247**	**55,203**	**14.1**	**322,473**	**13,604**	**62,225**	**191,928**

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FIRST QUARTER (JANUARY, FEBRUARY, MARCH) OF 1907: (a) MALES.

DAYS EMPLOYED.			AGGREGATE EARNINGS.	AVERAGE EARNINGS.		NUMBER WHO EARNED—			
80 days or over.	Aggregate.	Per capita.	Aggregate Earnings.	Per day.	For three months.	Less than $75.	$75 to $149.	$150 to $224.	$225 or more.
1,536	5,345,956	52.9	$19,961,751 98	$3 73	$197 57	6,731	26,246	30,383	37,674
.....	333,776	55.5	1,290,649 21	3 87	214 57	166	837	3,012	2,000
1,516	4,295,766	53.9	16,779 998 98	3 91	210 69	3,797	18,409	22,015	35,422
20	716,414	46.6	1,891,103 79	2 64	122 99	2,768	7,000	5,356	252
34,364	4,389,354	81.5	12,076,054 40	2 75	224 12	463	6,229	27,324	19,866
20,525	2,089,719	86.8	6,295,645 07	3 01	261 58	98	664	8,772	14,534
5,829	598,851	83.4	1,952,932 32	3 26	272 00	125	1,283	1,531	4,241
6,806	1,311,080	78.1	2,922,201 11	2 23	173 98	99	2,681	13,028	988
51	269,587	60.3	676,980 83	2 51	151 45	141	1,366	2,948	15
1,153	120,117	87.8	228,295 07	1 90	166 88	.....	235	1,045	88
325	2,035,516	64.7	4,855,362 08	2 39	154 21	1,147	12,758	14,348	3,232
317	1,318,040	63.1	3,248,239 06	2 46	155 51	1,067	7,878	9,805	2,138
.....	109,762	75.1	179,945 61	1 64	123 08	40	1,186	144	92
.....	223,726	60.3	511,381 03	2 29	137 76	8	2,417	965	322
.....	203,961	70.7	439,695 47	2 16	152 46	20	945	1,816	103
8	180,027	70.9	476,100 91	2 64	187 52	12	332	1,618	577
731	2,718,989	71.7	8,437,202 33	3 10	222 64	375	3,288	14,808	19,425
509	2,297,580	72.1	7,107,795 59	3 09	223 01	309	2,826	12,474	16,263
124	303,530	71.1	910,134 93	3 00	213 25	62	237	2,118	1,851
98	117,879	67.1	419,271 81	3 56	238 77	4	225	216	1,311
1,396	1,615,684	72.1	5,378,395 79	3 33	239 94	56	984	6,888	14,488
10	698,796	66.4	1,972,457 17	2 82	187 35	124	2,511	5,320	2,573
783	979,812	73.3	2,510,272 87	2 56	187 91	150	1,115	9,923	2,171
80	461,718	72.7	1,177,098 55	2 55	185 37	148	684	4,470	1,048
703	518,094	73.9	1,333,174 32	2 57	190 21	2	431	5,453	1,123
309	245,361	72.1	1,057,372 21	4 31	310 63	5	383	1,124	1,892
.....	654,674	74.1	1,339,821 00	2 05	151 67	27	3,419	4,674	714
1,985	584,943	78.3	1,391,932 32	2 38	186 21	11	1,334	4,720	1,410
1,810	460,411	78.7	1,072,798 93	2 33	183 38	9	1,045	3,927	869
175	124,532	76.6	319,133 39	2 56	196 39	2	289	793	541
6,836	709,334	78.2	1,863,515 22	2 63	205 50	108	1,356	2,953	4,651
5,993	1,014,921	81.8	3,193,499 26	3 15	257 46	8	459	2,101	9,836
448	788,613	73.8	2,075,664 18	2 63	194 21	88	4,281	3,923	2,396
259	250,716	76.1	491,569 52	1 96	149 28	5	2,470	556	262
122	210,514	77.2	447,224 55	2 12	164 06	6	864	1,615	241
.....	79,329	69.8	202,520 83	2 55	178 28	10	290	663	173
.....	86,086	69.7	378,426 30	4 40	306 42	.....	90	139	1,006
.....	33,903	62.7	117,326 81	3 46	216 87	32	131	117	261
51	115,285	72.7	413,590 97	3 59	260 94	32	321	796	436
16	12,780	74.3	25,005 20	1 96	145 38	3	115	37	17
54,716	21,781,953	67.5	$66,113,300 81	$3 04	$205 02	9,293	64,363	128,489	120,328

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TABLE I.—EMPLOYMENT AND EARNINGS OF ORGANIZED WAGE WORKERS IN

INDUSTRIES OR GROUPS OF TRADES.	Number of wage earners reporting.	THEREOF IDLE.		NUMBER EMPLOYED.			
		Number.	Per cent.	Aggregate.	1–29 days.	30–59 days.	60–79 days.
2. Transportation	**178**	.....	**0.0**	**32**	.....	.....	**6**
Railways	1	.....	0.0	1	.....	.....	.....
Telegraphs	177	.....	0.0	31	.....	.....	6
3. Clothing and Textiles	**6,311**	**299**	**4.7**	**5,858**	**5**	**712**	**5,135**
Garments	4,501	254	5.6	4,247	3	692	3,546
Shirts, collars and laundry	757	.....	0.0	659	2	2	655
Hats, caps and furs	390	5	1.3	385	.....	3	382
Boots, shoes and gloves	573	40	7.0	477	.....	15	462
Textiles	90	.....	0.0	90	.....	.....	90
4. Metals, Machinery and Shipbuilding	**404**	.....	**0.0**	**29**	.....	**19**	**10**
Iron and steel	404	.....	0.0	29	.....	19	10
5. Printing, Binding, Etc	**1,353**	**68**	**5.0**	**1,283**	**11**	**122**	**1,150**
6. Wood Working and Furniture	**56**	.....	**0.0**	**56**	.....	.....	**56**
8. Theaters and Music	**680**	.....	**0.0**	**640**	**1**	**1**	**561**
9. Tobacco	**2,552**	**57**	**2.2**	**2,494**	**2**	**303**	**2,189**
10. Restaurants and Retail Trade	**226**	.....	**0.0**	**181**	.....	**8**	**173**
Hotels and restaurants	95	.....	0.0	60	.....	8	52
Retail trade	131	.....	0.0	121	.....	.....	121
11. Public Employment	**65**	.....	**0.0**	**65**	.....	.....	.....
13. Miscellaneous	**384**	.....	**0.0**	**384**	.....	**200**	**184**
Paper and paper goods	182	.....	0.0	182	.....	.....	182
Leather and leather goods	200	.....	0.0	200	.....	200	.....
Cement and clay products	2	.....	0.0	2	.....	.....	2
Grand Total	**12,209**	**424**	**3.5**	**11,022**	**19**	**1,365**	**9,464**

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FIRST QUARTER (JANUARY, FEBRUARY, MARCH) OF 1907: (b) FEMALES.

DAYS EMPLOYED.			AVERAGE EARNINGS.		NUMBER WHO EARNED—			
80 days or more.	Aggregate.	Per capita.	Aggregate Earnings.	Per day.	For three months.	Less than $75.	$75 to to $149.	$150 to $224.	$225 or more.
26	2,802	87.6	$4,780 65	$1 71	$149 40	.....	11	21	.....
1	90	90.0	165 00	1 83	165 00	.....	.....	1	.....
25	2,712	87.5	4,615 65	1 70	148 89	.....	11	20	.....
6	399,113	68.1	525,183 27	1 32	89 65	1,590	4,099	169	.....
6	284,703	67.0	375,546 82	1 32	88 43	1,423	2,693	131	.....
.....	50,319	76.4	51,808 41	1 03	78 62	49	610	.....	.....
.....	24,824	64.5	40,893 53	1 65	106 22	9	338	38	.....
.....	33,577	70.4	50,098 79	1 49	105 03	44	433	.....	.....
.....	5,690	63.2	6,835 72	1 20	75 95	65	25	.....	.....
.....	1,596	55.0	1,159 03	73	39 97	28	1	.....	.....
.....	1,596	55.0	1,159 03	73	39 97	28	1	.....	.....
.....	84,223	65.6	138,616 31	1 65	108 04	152	1,039	51	41
.....	4,256	76.0	5,350 00	1 26	95 54	.....	56	.....	.....
77	49,229	76.9	268,985 56	5 46	420 29	.....	2	47	591
.....	179,946	72.2	375,395 33	2 09	150 52	20	1,322	652	500
.....	13,500	74.6	12,782 41	95	70 62	138	43	.....	.....
.....	4,188	69.8	2,792 00	67	46 53	60	.....	.....	.....
.....	9,312	77.0	9,990 41	1 07	82 57	78	43	.....	.....
65	5,850	90.0	9,021 25	1 54	138 79	.....	44	18	3
.....	22,001	57.3	36,369 30	1 65	94 71	.....	382	2	.....
.....	13,849	76.1	14,931 95	1 08	82 04	.....	182	.....	.....
.....	8,000	40.0	21,133 35	2 64	105 67	.....	200	.....	.....
.....	152	76.0	304 00	2 00	152 00	.....	.....	2	.....
174	762,515	69.2	$1,377,643 11	$1 81	$124 99	1,928	6,999	960	1,135

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TABLE II.—CAUSES OF IDLENESS AMONG ORGANIZED

INDUSTRIES OR GROUPS OF TRADES.	Number not reporting.	Number reporting.	Total number idle.
1. Building, Stone Working, Etc	**4,206**	**143,238**	**53,471**
Stone working	10	7,403	2,229
Building and paving trades	4,186	96,262	25,792
Building and street labor	10	39,573	25,450
2. Transportation	**1,877**	**65,377**	**8,273**
Railways	534	24,990	490
Navigation	289	12,295	4,883
Teaming and cab driving	774	17,079	1,135
Freight handling	220	6,199	1,764
Telegraphs	60	4,814	1
3. Clothing and Textiles	**110**	**38,859**	**4,819**
Garments	6	25,840	4,181
Shirts, collars and laundry	100	2,179	27
Hats, caps and furs	.....	4,260	214
Boots, shoes and gloves	1	3,549	185
Textiles	3	3,031	212
4. Metals, Machinery and Shipbuilding	**123**	**39,291**	**1,641**
Iron and steel	54	33,034	1,256
Other metals	69	4,350	125
Shipbuilding	.....	1,907	260
5. Printing, Binding, Etc	**80**	**25,796**	**2,545**
6. Wood Working and Furniture	**5**	**12,189**	**1,583**
7. Food and Liquors	**15**	**13,771**	**975**
Food products	15	6,570	738
Beverages	.....	7,201	237
8. Theaters and Music	**2,547**	**9,734**	**1,284**
9. Tobacco	**164**	**11,583**	**400**
10. Restaurants and Retail Trade	**591**	**7,984**	**224**
Hotels and restuarants	407	6,100	213
Retail trade	184	1,884	11
11. Public Employment	**297**	**9,315**	**1,297**
12. Stationary Engine Men	**7**	**13,886**	**263**
13. Miscellaneous	**669**	**13,004**	**494**
Paper and paper goods	17	3,647	72
Barbering	161	2,737	39
Leather and leather goods	.....	1,369	34
Glass and glassware	3	1,261	33
Cement and clay products	.....	681	216
Other distinct trades	463	1,733	92
Mixed employment	25	1,576	8
Grand Total	**10,691**	**404,027**	**77,269**

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WAGE WORKERS AT THE END OF MARCH, 1907.

Per cent idle.	NUMBER IDLE ON ACCOUNT OF—						
	Lack of work.	Lack of stock.	The weather.	Labor disputes.	Disability.	Other reasons.	Reason not stated.
37.3	40,834	1,209	9,151	1,261	888	104	24
30.1	1,345	347	435	12	28	62	.....
26.8	19,903	796	2,957	1,249	821	42	24
64.3	19,586	66	5,759	.....	39	.....	.....
12.7	1,762	25	5,844	.....	560	56	26
2.0	69	.....	.....	.....	367	33	21
39.7	80	.....	4,788	.....	9	6	.....
6.6	1,017	.....	.....	.....	116	2	.....
28.5	596	25	1,056	.....	67	15	5
+0.0	.....	.....	.....	.....	1	.....	.....
12.4	3.368	96	.....	1,141	207	7	.....
16.2	2,953	75	.....	1,050	96	7	.....
1.2	.....	.....	.....	.....	27	.....	.....
5.0	147	.....	.....	10	57	.....	.....
5.2	90	3	.....	71	21	.....	.....
7.0	178	18	.....	10	6	.....	.....
4.2	833	86	5	186	479	29	23
3.8	594	64	5	138	419	18	18
2.9	55	2	.....	47	17	.....	4
13.6	184	20	.....	1	43	11	1
9.9	771	.....	.....	1,288	476	10	.....
13.0	1,130	2	200	84	119	38	10
7.1	848	.....	.....	1	119	6	1
11.2	710	.....	.....	1	27	.....	.....
3.3	138	.....	.....	.....	92	6	1
13.2	1,266	.....	.....	.....	18	.....	.....
3.5	92	1	.....	3	301	1	2
2.8	184	.....	.....	.....	26	4	10
3.5	184	.....	.....	.....	18	3	8
0.6	.....	.....	.....	.....	8	1	2
13.9	606	400	.....	.....	291	.....	.....
1.9	170	.....	10	.....	26	53	4
3.8	167	.....	261	6	53	7	.....
2.0	1	.....	50	.....	16	5	.....
1.4	27	.....	.....	.....	11	1	.....
2.5	31	.....	.....	.....	3	.....	.....
2 6	20	.....	.....	6	6	1	.....
31.7	78	.....	138	.....	.....	.....	.....
5.3	3	.....	73	.....	16	.....	.....
0.5	7	.....	.....	.....	1	.....	.....
19.1	52,031	1,819	15,471	3,970	3,563	315	100

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TABLE III.—NUMBER AND MEMBERSHIP OF LABOR ORGANIZATIONS

INDUSTRIES OR GROUPS OF TRADES.	New York State.				New York	
	Org.	Men.	Women.	Total number of members.	Org.	Members.
1. Building, Stone Working, Etc	**732**	**147,444**	.....	**147,444**	**225**	**108,876**
Stone working	49	7,413	.....	7,413	12	5,273
Building and paving trades	617	100,448	.....	100,448	178	67,879
Building and street labor	66	39,583	.....	39,583	35	35,724
2. Transportation	**366**	**67,075**	**179**	**67,254**	**77**	**31,269**
Railways	223	25,523	1	25,524	26	4,520
Navigation	26	12,584	.....	12,584	5	6,128
Teaming and cab driving	61	17,853	.....	17,853	27	14,673
Freight handling	40	6,419	.....	6,419	15	3,674
Telegraphs	16	4,696	178	4,874	4	2,274
3. Clothing and Textiles	**172**	**32,638**	**6,331**	**38,969**	**82**	**29,963**
Garments	87	21,345	4,501	25,846	46	21,485
Shirts, collars and laundry	13	1,502	777	2,279	5	1,890
Hats, caps and furs	22	3,870	390	4,260	16	3,796
Boots, shoes and gloves	18	2,977	573	3,550	9	1,523
Textiles	32	2,944	90	3,034	6	1,269
4. Metals, Machinery and Shipbuilding	**297**	**38,975**	**439**	**39,414**	**81**	**16,853**
Iron and steel	244	32,684	404	33,088	51	11,532
Other metals	42	4,384	35	4,419	21	3,484
Shipbuilding	11	1,907	.....	1,907	9	1,837
5. Printing, Binding, Etc	**116**	**24,522**	**1,354**	**25,876**	**36**	**21,348**
6. Wood Working and Furniture	**90**	**12,138**	**56**	**12,194**	**44**	**9,305**
7. Food and Liquors	**121**	**13,786**	.....	**13,786**	**33**	**9,013**
Food products	67	6,585	.....	6,585	25	4,546
Beverages	54	7,201	.....	7,201	8	4,467
8. Theaters and Music	**60**	**11,431**	**850**	**12,281**	**13**	**8,482**
9. Tobacco	**65**	**9,186**	**2,561**	**11,747**	**14**	**7,583**
10. Restaurants and Retail Trade	**89**	**8,279**	**296**	**8,575**	**18**	**4,522**
Hotels and restaurants	53	6,412	95	6,507	10	3,702
Retail trade	36	1,867	201	2,068	8	820
11. Public Employment	**121**	**9,547**	**65**	**9,612**	**29**	**7,709**
12. Stationary Engine Men	**72**	**13,893**	.....	**13,893**	**27**	**10,318**
13. Miscellaneous	**158**	**13,289**	**384**	**13,673**	**26**	**4,188**
Paper and paper goods	38	3,482	182	3,664	.....	.....
Barbering	54	2,898	.....	2,898	3	583
Leather and leather goods	10	1,169	200	1,369	5	947
Glass and glassware	19	1,264	.....	1,264	7	757
Cement and clay products	12	679	2	681	2	268
Other distinct trades	17	2,196	.....	2,196	8	1,603
Mixed employment	8	1,601	.....	1,601	1	30
Grand Total	**2,459**	**402,203**	**12,515**	**414,718**	**705**	**269,429**

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IN THE STATE AND IN THE PRINCIPAL CITIES, MARCH 31. 1907

City.	Buffalo.		Rochester.		Syracuse.		Albany.		Schenectady.		Troy.	
Thereof women.	Org.	Members.	Org.	Members.	Org.	Members.	Org.	Members.	Org.	Members.	Org.	Members.
.....	43	5,385	20	5,212	18	2,260	14	1,496	9	1,107	9	912
.....	3	248	1	98	1	68	2	105	.....	.....	.....	.....
.....	40	5,137	16	2,919	14	2,073	11	1,241	8	1,004	8	854
.....	.....	.....	3	2,195	3	119	1	150	1	103	1	58
133	53	12,671	16	2,348	13	1,172	21	2,679	3	220	10	1,079
.....	32	4,956	11	1,807	12	1,147	12	1,607	3	220	5	559
.....	6	5,407	.....	.....	.....	.....	2	145	.....	.....	.....	.....
.....	7	648	3	376	.....	.....	4	525	.....	.....	3	478
.....	7	1,550	.....	.....	.....	.....	1	250	.....	.....	2	42
133	1	110	2	165	1	25	2	152	.....	.....	.....	.....
3,163	9	1,355	4	1,452	11	1,370	3	111	1	45	1	115
2,071	6	1,222	2	102	8	1,131	2	74	1	45	1	115
600	.....	.....	.....	.....	1	65	1	37	.....	.....	.....	.....
292	1	7	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
180	2	126	2	1,350	2	174	.....	.....	.....	.....	.....	.....
20	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
35	19	3,291	11	2,047	8	810	12	890	26	7,419	11	1,081
.....	17	3,114	9	1,854	7	710	10	850	25	7,397	9	1,011
35	2	177	2	193	1	100	2	40	1	22	2	70
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
1,162	11	1,193	9	697	6	346	6	802	1	71	1	137
50	8	550	7	604	6	192	4	178	1	105	1	80
.....	10	1,288	5	454	6	478	7	422	2	96	5	342
.....	4	350	3	138	2	252	2	107	2	96	2	155
.....	6	938	2	316	4	226	5	315	.....	.....	3	187
655	3	515	2	489	2	272	3	218	2	130	2	202
2,281	1	506	2	300	3	457	3	360	1	71	1	360
130	7	655	2	290	6	483	3	1310	4	340	2	183
60	2	481	2	290	2	281	1	181	2	200	1	110
70	5	174	.....	.....	4	202	2	129	2	140	1	73
10	3	451	3	239	2	131	4	216	2	65	2	66
.....	6	1,780	2	560	2	188	3	108	1	8	1	42
200	7	2,177	4	203	1	178	1	146	1	100	2	194
.....	.....	.....	1	10	.....	.....	.....	.....	.....	.....	1	94
.....	1	493	1	131	1	178	1	146	1	100	1	100
200	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
.....	1	80	2	62	.....	.....	.....	.....	.....	.....	.....	.....
.....	1	102	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
.....	3	102	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
.....	1	1,400	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
7,819	180	31,817	87	14,895	84	8,337	84	7,936	54	9,777	48	4,793

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TABLE IV.—STATISTICS OF BUILDING OPERATIONS IN THE PRINCIPAL CITIES.

(a) Buildings Authorized in New York City in January, February and March, 1906 and 1907.

BOROUGH.	NUMBER OF BUILDINGS.		ESTIMATED COST OF PROJECTED BUILDINGS.		NUMBER OF BUILDINGS—			
					COMMENCED.		COMPLETED.	
	1906.	1907.	1906.	1907.	1906.	1907.	1906.	1907.
NEW BUILDINGS:								
Bronx	556	464	$7,006,685	$5,139,600	339	240	376	389
Brooklyn	1,655	2,239	11,426,642	15,595,649	1,457	1,539	924	2,181
Manhattan	474	218	34,358,800	15,783,310	354	100	340	383
Queens	873	900	3,767,206	3,738,980	873	320	978	544
Richmond	140	127	530,108	398,578	149	96	95	145
Total	3,698	3,948	$57,089,441	$40,656,117	3,172	2,295	2,713	3,642
ALTERATIONS:								
Bronx	178	130	$299,150	$215,635	154	108	143	108
Brooklyn	880	1,782	1,072,590	1,718,824	804	1,350	393	1,711
Manhattan	954	918	5,957,679	5,868,751	670	587	773	597
Queens	264	218	260,555	673,947	264	107	333	343
Richmond	104	120	62,499	80,083	89	93	61	87
Total	2,380	3,168	$7,652,473	$8,557,240	1,981	2,245	1,703	2,846
TOTAL OF NEW BUILDINGS AND ALTERATIONS:								
Bronx	734	594	$7,305,835	$5,355,235	493	348	519	497
Brooklyn	2,535	4,021	12,499,232	17,314,473	2,261	2,889	1,317	3,892
Manhattan	1,428	1,136	40,316,479	21,652,061	1,024	687	1,113	980
Queens	1,137	1,118	4,027,761	4,412,927	1,137	427	1,311	887
Richmond	244	247	592,607	478,661	238	189	156	232
Total	6,078	7,116	$64,741,914	$49,213,357	5,153	4,540	4,416	6,488

Number and Estimated Cost of New and Remodeled Tenement Houses Included in the Foregoing Table.

BOROUGH	NUMBER OF BUILDINGS.		ESTIMATED COST.	
	1906.	1907.	1906.	1907.
NEW TENEMENTS:				
Bronx	119	53	$4,611,000	$1,827,000
Brooklyn	451	490	4,546,600	5,878,000
Manhattan	293	43	17,483,500	5,111,000
Queens	102	91	563,000	691,400
Total	965	677	$27,204,100	$13,507,400
REMODELED TENEMENTS:				
Bronx	38	21	$33,750	$20,225
Brooklyn	98	121	68,380	124,250
Manhattan	596	548	1,180,230	1,173,174
Queens	15	14	3,227	5,825
Richmond	.....	1	.....	250
Total	747	705	$1,285,587	$1,323,724
TOTAL OF NEW AND REMODELED TENEMENTS:				
Bronx	157	74	$4,644,750	$1,847,225
Brooklyn	549	611	4,614,980	6,002,250
Manhattan	889	591	18,663,730	6,284,174
Queens	117	105	566,227	697,225
Richmond	.....	1	.....	250
Total	1,712	1,382	$28,489,687	$14,831,124

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TABLE IV.—STATISTICS OF BUILDING OPERATIONS—(Continued).
(b) Buffalo, Rochester, Syracuse and Troy.

CITY AND PERIOD.		NEW BUILDINGS. No.	NEW BUILDINGS. Est. Cost.	ADDITIONS AND REPAIRS. No.	ADDITIONS AND REPAIRS. Est. Cost.	ALL BUILDINGS. No.	ALL BUILDINGS. Est. Cost.
BUFFALO.							
January		112	$363,540	41	$54,460	153	$418,000
February		77	275,725	55	105,975	132	381,700
March		102	784,585	144	95,415	246	880,000
January–March	1907..	291	¶$1,423,850	240	$255,850	531	¶$1,679,700
	1906..	344	*1,104,785	213	245,180	557	*1,349,965
	1905..	275	963,768	171	181,118	446	1,144,886
	1904..	247	908,939	161	243,719	408	1,152,658
	1903..	205	523,463	117	104,365	322	627,828
	1902..	284	720,953	141	123,461	425	844,414
	1901..	182	735,795	112	350,975	294	1,086,770
	1900..	115	585,530	104	109,343	219	694,873
ROCHESTER.							
January		45	$187,085	25	$37,810	70	$224,895
February		35	185,500	24	16,975	59	202,475
March		130	1,130,315	63	59,525	193	1,189,840
January–March	1907..	210	**$1,502,900	112	$114,310	322	**$1,617,210
	1906..	223	†1,181,653	79	106,271	302	†1,287,924
	1905..	247	‡844,949	66	47,578	313	‡892,527
	1904..	66	433,280	47	28,665	113	461,945
	1903..	136	320,812	55	42,401	191	363,213
	1902..	112	304,574	36	22,166	148	326,740
	1901..	89	185,450	53	78,704	142	264,154
	1900..	81	204,550	29	16,425	110	220,975
SYRACUSE.							
January		28	††$342,695	19	$41,450	47	††$384,145
February		36	154,500	24	31,910	60	186,410
March		56	197,150	38	48,855	94	246,005
January–March	1907..	120	$694,345	81	$122,215	201	$816,56
	1906..	89	326,685	77	72,160	166	398,845
	1905..	72	192,700	49	40,775	121	233,475
	1904..	35	§1,075,722	44	38,600	79	§1,114,322
	1903..	36	286,525	60	96,690	96	383,215
	1902..	65	182,505	51	110,435	116	292,904
	1901..	66	206,757	54	28,010	120	234,767
	1900..	94	182,747	46	34,964	140	217,711
TROY.							
January		3	$6,000	6	$4,705	9	$10,705
February		6	§§96,150	12	25,915	18	§§122,065
March		3	9,200	12	10,300	15	19,500
January–March	1907..	12	$111,350	30	$40,920	42	$152,270
	1906..	15	58,000	23	23,715	38	81,715

*Including one store and office building costing $150,000.
† Including a department store costing $400,000.
‡ Including an office and factory building to cost $107,131.
§ Including a county court house to cost $900,000.
¶ Including a brick car house to cost $100,000, and a fireproof warehouse costing $240,000.
** Including a fireproof hotel costing $730,000.
†† Including a Y. M. C. A. building costing $264,000.
§ Including a Maternity Home to cost $80,000.

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TABLE V.—IMMIGRATION AT THE PORT OF
(Compiled by the Bureau of Immigration and

	RACE OR PEOPLE.	SEX.		Total admitted.	AGE.	
		Male.	Female.		Under 14 years.	14 to 44 years.
1	African (black)	61	48	109	7	98
2	Armenian	325	119	444	53	371
3	Bohemian and Moravian	885	415	1,300	125	1,135
4	Bulgarian, Servian, Montenegrin	3,900	110	4,010	32	3,902
5	Chinese	1	.....	1	.....	1
6	Croatian and Slovenian	7,688	1,098	8,786	203	8,422
7	Cuban	83	19	102	2	95
8	Dalmatian, Bosnian, Herzegovinian	1,630	38	1,668	10	1,624
9	Dutch and Flemish	1,752	689	2,441	489	1,815
10	East Indian	4	.....	4	1	3
11	English	3,622	1,379	5,001	498	4,180
12	Finnish	972	273	1,245	32	1,195
13	French	856	559	1,415	133	1,200
14	German	9,294	4,462	13,756	1,499	11,698
15	Greek	4,814	134	4,948	90	4,834
16	Hebrew	11,528	8,398	19,926	4,585	14,240
17	Irish	1,583	742	2,325	142	2,100
18	Italian (North)	8,795	1,482	10,277	483	9,489
19	Italian (South)	41,049	7,089	48,138	3,388	43,269
20	Japanese	30	4	34	2	32
21	Korean	.....	.....	.....	.....	.....
22	Lithuanian	2,061	622	2,683	113	2,512
23	Magyar	13,899	2,998	16,897	766	15,705
24	Mexican	9	1	10	.....	9
25	Pacific Islander	.....	.....	.....	.....	.....
26	Polish	17,011	4,979	21,990	889	20,688
27	Portugese	390	119	509	77	408
28	Roumanian	4,262	260	4,522	39	4,349
29	Russian	2,096	154	2,250	43	2,159
30	Ruthenian (Russniak)	3,747	909	4,656	69	4,503
31	Scandinavian	8,793	1,065	4,858	200	4,558
32	Scotch	1,505	512	2,017	210	1,701
33	Slovak	7,485	2,510	9,995	555	9,221
34	Spanish	767	87	854	32	799
35	Spanish-American	64	13	77	5	62
36	Syrian	139	52	191	23	159
37	Turkish	345	9	354	6	344
38	Welsh	210	95	305	39	245
39	West Indian (except Cuban)	28	7	35	.....	33
40	Other peoples	234	12	246	6	237
41	Grand total	156,917	41,462	198,379	14,846	177,395

*The number of immigrants destined to

Alabama	263	Indiana	2,045
Alaska	10	Indian Territory	36
Arizona	259	Iowa	975
Arkansas	39	Kansas	443
California	5,591	Kentucky	114
Colorado	1,348	Louisiana	200
Connecticut	6,135	Maine	228
Delaware	303	Maryland	1,034
District of Columbia	277	Massachusetts	7,344
Florida	169	Michigan	3,705
Georgia	92	Minnesota	1,942
Hawaii	13	Mississippi	77
Idaho	324	Missouri	3,157
Illinois	15,948	Montana	429

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NEW YORK, QUARTER ENDED MARCH 31, 1907.*
Naturalization, Department of Commerce and Labor.)

ILLITERACY, 14 years and over.		Have been in the United States before.	Total debarred.	FIRST QUARTER, 1906.			
45 and over.	Can read but cannot write.	Can neither read nor write.			Males.	Females.	Total.	
4	1	1	22	.....	66	44	110	1
20	.....	101	16	8	234	66	300	2
40	6	16	23	.....	861	456	1,317	3
76	14	2,209	66	30	3,023	109	3,132	4
.....	.....	.....	.....	.....	5	.....	5	5
161	19	2,763	387	54	7,426	1,054	8,480	6
5	2	.....	53	.....	95	40	135	7
34	3	900	21	8	1,113	37	1,150	8
137	2	79	114	7	1,679	629	2,308	9
.....	.....	.....	.....	.....	9	2	11	10
323	2	27	951	15	3,310	1,305	4,615	11
18	5	1	72	1	989	325	1,314	12
82	1	26	196	10	955	532	1,487	13
559	20	716	596	79	10,165	4,926	15,091	14
24	.....	1,471	98	50	3,365	92	3,457	15
1,101	39	4,594	206	116	18,372	14,569	32,941	16
83	1	25	226	13	1,593	793	2,386	17
305	2	816	647	39	9,240	1,431	10,671	18
1,481	5	25,180	3,301	257	46,948	7,694	54,642	19
.....	.....	1	12	.....	14	1	15	20
.....	.....	.....	.....	.....	1	.....	1	21
58	99	1,460	32	22	1,097	402	1,499	22
426	10	1,767	818	62	11,984	2,891	14,875	23
1	.....	.....	2	.....	2	4	6	24
.....	.....	.....	.....	.....	.....	.....	.....	25
413	494	8,168	609	98	13,070	4,302	17,372	26
24	1	309	44	4	1,010	492	1,502	27
134	9	1,787	85	15	3,134	184	3,318	28
48	14	1,192	34	12	636	97	733	29
84	22	2,551	250	34	3,835	1,016	4,851	30
100	4	8	351	10	4,577	1,341	5,918	31
106	1	8	323	9	1,337	418	1,755	32
219	27	1,527	999	27	8,212	2,405	10,617	33
23	2	184	90	27	549	58	607	34
10	.....	1	22	.....	79	21	100	35
9	1	88	12	14	166	71	237	36
4	1	266	4	8	107	3	110	37
21	2	1	35	.....	262	59	321	38
2	.....	1	14	.....	39	23	62	39
3	.....	69	2	5	140	3	143	40
6,138	809	58,313	10,733	1,034	159,699	47,895	207,594	41

each state or territory is shown below:

Nebraska	871	Rhode Island	902
Nevada	383	South Carolina	82
New Hampshire	454	South Dakota	371
New Jersey	13,918	Tennessee	59
New Mexico	135	Texas	167
New York	65,917	Utah	546
North Carolina	50	Vermont	391
North Dakota	403	Virginia	376
Ohio	12,401	Washington	1,111
Oklahoma	18	West Virginia	2,170
Oregon	585	Wisconsin	2,965
Pennsylvania	41,361	Wyoming	224
Philippine Islands	2		
Porto Rico	17	Grand total	198,379

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TABLE VI.—IMMIGRATION TO THE UNITED STATES,
Publications of the American Statistical

RACE.	Total (6 years).	COUNTRY					
		German Empire.	Austria-Hungary.	Switzerland.	Belgium.	Netherlands.	Denmark, Norway, Sweden.
German	289,438	151,088	a81,785	11,677	172	67	57
Dutch and Flemish	26,306	30	12	28	9,635	16,120	5
Scandinavian (Danes, Norwegians, Swedes)	292,634	196	3	9	7	10	283,887
English	b120,035	20	13	7	5	4	17
Welsh	6,653	.....	.....	.....	2	.....	.....
Scotch	25,642	1	4	.....	.....	.....	22
Irish	199,799	2	2	2	1	.....	.....
French	31,254	256	24	1,953	3,981	16	1
Italian	928,308	13	9,669	2,246	5	.....	2
Portuguese	30,593	.....	4	1	.....	.....	.....
Spanish	13,222	2	8	1	1	1	.....
Spanish-American, Mexican, Cuban, West Indian	25,777	3	1	3	.....	8	47
Greek	47,203	7	9	1	1	.....	.....
Roumanian	12,392	3	10,520	2	.....	.....	.....
Lithuanian	64,825	50	1,716	.....	1	4	3
Bohemian and Moravian	36,444	57	36,208	.....	.....	.....	.....
Slovak	173,725	16	c173,471	1	6	.....	.....
Polish	338,741	18,214	154,921	.....	4	1	.....
Bulgarian, Servian, Montenegrin, Slovenian, Croatian, Dalmatian, Bosnian	147,932	39	141,298	2	10	5	1
Russian, Ruthenian, Russniak	49,272	21	36,393	.....	.....	.....	1
Armenian	8,172	.....	6	.....	5	.....	.....
Hebrew	396,404	2,342	92,815	48	19	67	34
Syrian	24,889	.....	3	.....	2	.....	.....
Finnish	71,597	.....	.....	.....	5	1	278
Magyar	*d107,405	24	*107,316	.....	13	.....	.....
Turkish	2,444	1	6	41	.....	.....	.....
East Indian, Chinese, Japanese, Corean, Pacific Islander	†87,661	.....	.....	.....	.....	.....	.....
Negro, African	7,112	.....	1	.....	1	4	2
Not specified	985	19	26	7	3	3	1
Totals	3,566,864	172,404	845,884	16,029	13,879	16,311	284,358

* Including 800 (784, 3, 13) Hungarian.
† Including 469 East Indian, 13,490 Chinese, 70,750 Japanese, 2,639 Corean, 913 Pacific Islanders.
‡ 15 East Indian, 3 Pacific Islanders.
§ Including 450 East Indian, 13,489 Chinese, 70,149 Japanese, 2,639 Corean, 910 Pacific Islanders.

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1898-1904, ACCORDING TO NATIONALITY AND RACE.
Association, December, 1906.

OF ORIGIN.

United Kingdom.	France.	Italy.	Portugal and the Azores.	Spain and the Canaries.	Greece.	Roumania.	Bulgaria, Montenegro, Servia.	Turkey in Europe.	Russian Empire.	Non-European Countries.	RACE.
214	103	28	8	3	.....	1,043	35	11	42,530	917	German.
29	16	1	1	.....	.....	.....	2	.....	18	409	Dutch.
51	.....	1	1	3	2	.....	1	1	8,065	397	Scandinavian.
107,712	16	18	5	17	1	1	.....	9	21	12,169	English.
6,634	.....	.....	.....	.....	.....	.....	.....	.....	.....	17	Welsh.
25,229	1	1	.....	1	.....	.....	.....	1	1	381	Scotch.
199,320	1	.....	2	.....	.....	.....	.....	.....	1	468	Irish.
61	24,240	53	2	30	3	4	8	4	5	613	French.
62	89	915,634	.....	15	16	.....	.....	7	1	549	Italian.
16	.....	1	30,382	.....	.....	.....	.....	1	1	187	Portuguese.
51	35	21	3	8,101	.....	.....	.....	25	.....	4,973	Spanish.
180	14	3	8	135	.....	.....	1	2	.....	25,372	Spanish-American
9	1	7	.....	14	45,453	24	.....	1,537	6	134	Greek.
1	.....	1	.....	.....	1	1,685	47	104	12	16	Roumanian.
8	.....	.....	.....	.....	.....	1	.....	.....	63,042	.....	Lithuanian.
2	.....	1	.....	.....	.....	1	.....	.....	163	12	Bohemian.
1	.....	.....	.....	.....	.....	2	83	14	176	5	Slovak.
31	1	.....	.....	.....	2	34	6	.....	165,476	51	Polish.
.....	1	22	.....	2	9	24	4,471	1,933	54	61	Southern Slavic.
6	.....	.....	.....	.....	.....	16	.....	3	12,723	109	Russian.
15	3	3	1	4	2	1	4	533	18	7,577	Armenian.
1,709	98	15	5	8	11	35,950	59	520	262,025	679	Hebrew.
28	22	1	.....	33	5	.....	4	164	.....	24,627	Syrian.
6	.....	1	.....	.....	.....	.....	.....	.....	71,236	70	Finnish.
3	.....	1	.....	.....	.....	14	2	.....	*14	*21	Magyar.
2	2	1	.....	.....	45	11	6	1,808	2	519	Turkish.
‡18	Jap. 1	.....	Chin. 1	.....	.....	.....	.....	.....	East Ind. 4	§87,637	Other races.
59	6	.....	1,373	4	.....	.....	.....	.....	.....	5,662	Negro.
22	34	29	.....	13	1	2	25	135	13	652	Not specified.
*f*341,479	24,684	915,843	31,792	8,383	*g*45,551	*h*38,813	4,754	6,812	625,607	*e*174,281	Totals.

a So in original; apparently should be 81,485.
b In original erroneously printed 120,135.
c So in original, instead of 173,421.
d So in original; the items across total 107,408.
e So in original; the items, however, foot 174,284.
f In original, 341,279.
g In original, 455,551.
h In original, 38,831.

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BUREAU OF FACTORY INSPECTION.

Table VII.—Record of the Deputy Factory Inspectors.

	First Quarter, 1907.				First Quarter, 1906.
	Jan.	Feb.	Mar.	Total.	
Regular inspections:					
Factories in separate buildings	792	553	687	2,032	10,489
Tenant factories	2,439	2,351	2,714	7,504	
Laundries	215	155	168	538	
Bakeries	171	167	195	533	1,159
Mines or quarries	.....	.....	.....	.....	.....
Tenant factory buildings	25	25	34	84	.....
Tenement buildings (licensed)	493	733	604	1,830	**
Total	4,135	3,984	4,402	12,521	11,648
Special inspections (factories, laundries, bakeries)	97	71	159	327	*
Investigations:					
Accidents	.....	.....	.....	.....	34
Applications for license	410	330	322	1,062	1,307
Complaints	71	75	83	229	110
Compliances (No. of establishments)	2,950	2,175	3,361	8,486	2,267
On special orders	23	288	250	561	*
Total	3,454	2,868	4,016	10,338	3,718
Observations—Tenement buildings (unlicensed)	690	489	540	1,719	.....
Tagging, to stop work:					
Goods in tenements ($100)	27	17	15	59	46
Goods in tenant factories (§ 95)	20	19	46	85	.....
Articles in bakeries (§ 114)	.....	4	9	13	.....
Unsafe machinery (§ 81)	.....	.....	.....	.....	.....
Scaffolding (§ 19)	.....	.....	.....	.....	*
Total	47	40	70	157	46
Prosecutions begun	15	16	18	49	*
Days or parts of days on court work	41	34	79¾	154¾	*
Days consumed by illness or travel	132½	59½	74¾	266¾	*
Days absent by leave or vacation	22	32½	17	71½	*

Table VIII.—Number of Children's Employment Certificates Issued by Boards of Health in First and Second Class Cities.

	First Quarter, 1907.				First Quarter, 1906.
City.	Jan.	Feb.	Mar.	Total.	
New York City:					
Bronx Borough	131	180	134	445	373
Brooklyn Borough	138	121	78	337	310
Manhattan Borough	776	1,105	818	2,699	2,638
Queens Borough	39	54	63	156	102
Richmond Borough	10	15	7	32	37
Total—New York City	1,094	1,475	1,100	†3,669	*3,460
Buffalo	80	65	73	218	153
Rochester	45	67	43	155	206
Syracuse	38	51	54	143	183
Albany	29	11	13	53	23
Troy	17	9	8	34	53
Utica	40	15	18	73	84
Yonkers	....	5	4	9	19
Schenectady	22	12	10	44	38

*No record. **Licensed and unlicensed apartments inspected—97.
†Includes "mercantile" as well as "manufacturing" certificates.

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BUREAU OF FACTORY INSPECTION.

Table IX.—Licenses for Tenement Manufactures.

		First Quarter, 1907.			Total Oct. 1, 1904 to Mar. 31, 1907.
		New York City.	Remainder of State.	Total.	
Applications pending December 31, 1906		92	.....	92	.....
Applications received		642	8	650	8,849
Total		734	8	742	8,849
(1) Applications for dwellings without clear record from local health or tenement-house authorities and therefore	refused	37	.....	37	1,775
(2) Applications for dwellings with clear record from health and tenement-house authorities, investigated by factory inspector and	granted	486	5	491	4,270
	refused	98	.....	98	1,468
	standing*	23	.....	23	218
(3) Applications for shop buildings investigated by factory inspector and	granted	11	3	14	648
	refused	6	.....	6	173
	standing *	1	.....	1	3
Applications refused† in class 1 with subsequent report of compliance with orders of health of tenement house authorities, investigated by factory inspector and	granted	86	.....	86	852
	refused	29	.....	29	383
Applications refused† in classes 2 or 3, subsequently re-investigated and	granted	139	.....	139	1,283
	refused	97	.....	97	829
Total applications granted		722	8	730	7,053
Total applications refused (net‡)		84—	.....	84—	1,281
Total applications standing*		24	.....	24	221
Applications cancelled by applicants		32	.....	32	228
Applications duplicated		1	.....	1	27
Applications pending Mar. 31, 1907		60	.....	60	60
Licenses cancelled at request of applicants		7	1	8	123
Licenses revoked for unlawful conditions		1	.....	1	5
Net increase in outstanding licenses		714	7	721	.....
Licenses outstanding December 31, 1906		5,750	454	6,204	.....
Licenses outstanding March 31, 1907		6,464	461	6,925	6,925

*These are cases in which investigation showed no work being done or likely to be done on the premises and in which no further application for the license was received after investigation.

†In present or previous quarters.

‡The number of buildings held to be below the requirements for licensing was 1,365 at the beginning of the quarter. As the result of re-applications and re-inspections during the quarter, the number of rejected applications was reduced to 1,281.

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TABLE X.—ACCIDENTS IN FACTORIES AND QUARRIES, JANUARY–MARCH, 1907.

(a) Age and Sex of Persons Injured.

CAUSE. [n. e. s.=Not elsewhere specified.]	Under 16 years.	16–18 years.	18 years +	Age not stated.	TOTAL.	Male.	Fem.
MECHANICAL POWER.							
Transmission of power:							
Motors (engines, dynamos, flywheels)	.....	.....	40	.....	40	39	1
Air fans, steam pumps, etc	.....	.....	6	.....	6	6	.....
Gearing	2	8	90	.....	100	93	7
Set screws	.....	1	21	.....	22	19	3
Shafting	1	2	19	.....	22	21	1
Belts and pulleys	2	10	92	.....	104	104	.....
Conveying and hoisting machinery and apparatus:							
Elevators and lifts	4	15	67	1	87	84	3
Cranes (steam, electric, portable, etc.)	.....	.....	46	.....	46	46	.....
Hoisting and conveying apparatus, n. e. s	.....	4	288	.....	292	291	1
Locomotives and trains	.....	2	50	1	53	53	.....
Wood working machines:							
Saws	.....	9	156	2	167	167	.....
Planers	.....	1	12	.....	13	13	.....
Jointers	.....	2	56	.....	58	58	.....
Shapers	.....	.....	13	.....	13	13	.....
Lathes	.....	.....	5	.....	5	5	.....
Other wood working machines	.....	5	31	.....	36	36	.....
Paper and printing machinery:							
Barkers	.....	.....	5	.....	5	5	.....
Calendars, etc	.....	1	61	1	63	63	.....
Paper cutting, stitching and staying	1	13	26	.....	40	26	14
Printing presses	2	10	28	2	42	35	7
Textile machinery:							
Picking machines	.....	1	3	.....	4	4	.....
Carding machines	.....	2	7	.....	9	9	.....
Spinning machines	.....	5	17	.....	22	5	17
Looms	.....	2	18	.....	20	10	10
Formers, knitting machines	2	6	42	1	51	41	10
Sewing machines, etc	.....	2	15	.....	17	8	9
Laundry machines	2	2	9	.....	13	7	6
Leather working machinery	.....	4	26	.....	30	27	3
Metal working machinery:							
Stamping machines	1	35	152	.....	188	151	37
Drilling and milling machines	1	7	104	.....	112	111	1
Screw machines	.....	5	14	.....	19	19	.....
Lathes	1	4	32	.....	37	37	.....
Drop and steam hammers	.....	.....	36	.....	36	36	.....
Shears	1	.....	21	.....	22	22	.....
Rollers	.....	1	30	.....	31	31	.....
Other	1	15	90	.....	106	102	4
Polishing machines:							
Contact with grindstones, etc	1	4	28	1	34	34	.....
Struck by fragments of polishing wheels	1	3	32	.....	36	36	.....
Other	.....	1	24	.....	25	24	1
Machines used in bakeries, etc	.....	.....	10	2	12	11	1
Machinery not elsewhere specified	1	15	93	2	111	100	11
Total	24	197	1,915	13	2,149	2,002	147
HEAT AND ELECTRICITY.							
Explosives (powder, dynamite, etc.)	.....	.....	10	.....	10	10	.....
Explosion and ignition of gases	.....	1	11	.....	12	11	1
Explosion of boilers and steam pipes	.....	.....	24	.....	24	24	.....
Other injuries from steam and hot liquids	.....	.....	53	.....	53	53	.....
Caustics	.....	.....	31	.....	31	30	1
Explosion of molten metal	.....	.....	14	.....	14	14	.....
Other accidents from molten metal	.....	1	87	1	89	89	.....
Vats, pans, etc. (containing hot liquids, etc.)	.....	1	18	.....	19	19	.....
Electricity	.....	.....	50	.....	50	50	.....
Fire and heat, n. e. s	1	7	72	1	81	80	1
Total	1	10	370	2	383	380	3

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TABLE X.—ACCIDENTS IN FACTORIES AND QUARRIES, JANUARY–MARCH, 1907.

(a) Age and Sex of Persons Injured—(Continued).

CAUSE. [n. e. s.=Not elsewhere specified.]	Under 16 years.	16–18 years.	18 years +	Age not stated.	TOTAL.	Male.	Fem.
FALL OF PERSON.							
Fall from ladder, scaffold, platform, etc.	.....	3	81	.....	84	84	.....
Fall from machinery, trucks, engines, etc.	.....	1	48	.....	49	49	.....
Fall caused by collapse of support	.....	.....	65	.....	65	65	.....
Fall through opening in floor	.....	.....	35	.....	35	34	1
Fall in hoistway, shaft, etc.	.....	.....	10	1	11	11	.....
Fall on stairs, steps, etc.	.....	2	20	.....	22	18	4
Fall on level by slipping	.....	3	27	.....	30	26	4
Fall on level by tripping	1	1	39	.....	41	40	1
All others	.....	2	76	.....	78	78	.....
Total	1	12	401	1	415	405	10
INJURED BY WEIGHTS.							
Falling rock and earth (quarrying, etc.)	.....	.....	36	.....	36	36	.....
Falling pile of material	1	1	56	.....	58	58	.....
Falling walls, doors and other objects	.....	4	209	2	215	212	3
Tools or weights dropped by person injured	.....	1	55	.....	56	56	.....
Falling objects dropped by other persons	.....	1	21	.....	22	22	.....
Heavy materials or parts on which injured persons were at work	1	1	61	.....	63	63	.....
Machinery being moved	.....	.....	35	.....	35	35	.....
Fall of materials from trucks in transit	.....	.....	31	.....	31	31	.....
Handling of castings, flasks, etc.	.....	2	142	.....	144	144	.....
Handling of stone, ore, etc	.....	.....	12	.....	12	12	.....
Handling of lumber and other materials	.....	1	64	.....	65	64	1
Loading or unloading	.....	2	146	.....	148	148	.....
Cause insufficiently described for classification	.....	1	35	.....	36	36	.....
Total	2	14	903	2	921	917	4
FLYING OBJECTS.							
Struck in eye by piece of metal, etc.	.....	.....	112	.....	112	112	.....
Other injuries from flying objects	.....	.....	47	.....	47	46	1
Total	.....	.....	159	.....	159	158	1
VEHICLES AND ACCIDENTS CAUSED BY ANIMALS	.....	3	100	.....	103	103	.....
MISCELLANEOUS.							
Hand tools (hammers, wrenches, files, etc.)	2	4	105	.....	111	110	1
Tools in hands of fellow workmen	.....	.....	39	.....	39	39	.....
Injured while fitting and assembling, n. e. s.	.....	.....	55	.....	55	55	.....
Hand caught on nail, sharp wire, sharp projection, etc.	.....	5	86	.....	91	87	4
Hand cut on glass	1	1	5	.....	7	6	1
Injured by stepping on nail, sliver, etc.	.....	3	55	.....	58	55	3
Inhalation of poisonous gases	.....	.....	10	.....	10	10	.....
All other causes	1	.....	82	1	84	83	1
Total	4	13	437	1	455	445	10
GRAND TOTAL	32	249	4,285	19	4,585	4,410	175

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TABLE X.—(b.) Causes and Results of Accidents in

CAUSE. [n. e. s.=Not elsewhere specified]	Grand total.	TEMPORARY				
		Lacerations.	Burns.	Cuts.	Bruises.	Sprains.
MECHANICAL POWER.						
Transmission of power:						
Motors (engines, dynamos, fly wheels, etc.)	40	9	1	6	4	.....
Air fans, steam pumps, etc	6	.....	.....	1	1	.....
Gearing	100	36	.....	6	4	.....
Set screws	22	5	.....	2	3	3
Shafting	22	3	.....	2	3	.....
Belts and pulleys	104	14	1	17	9	6
Conveying and hoisting machinery:						
Elevators and lifts	87	6	.....	2	25	1
Cranes (steam, electric, portable, etc)	46	5	1	2	8	1
Hoisting and conveying apparatus, n. e. s	292	47	3	29	71	9
Locomotives and trains	53	4	.....	1	7	2
Wood working machines:						
Saws	167	52	.....	25	.....	.....
Planers	13	2	.....	1	2	.....
Jointers	58	2	.....	7	1	.....
Shapers	13	2	.....	2	.....	.....
Lathes	5	1	.....	.....	1	.....
Other wood working machines	36	9	1	3	1	1
Paper and printing machinery:						
Barkers	5	.....	.....	1	.....	.....
Calendars and other paper making machines	63	15	5	6	5	.....
Paper cutting, stitching and staying machines	40	12	.....	5	3	.....
Printing presses	42	15	.....	4	5	.....
Textile machinery:						
Picking machines	4	2	.....	.....	.....	.....
Carding machines	9	2	.....	.....	.....	.....
Spinning machines	22	5	.....	2	2	1
Looms	20	4	.....	4	3	.....
Formers, knitting machines and other textile machinery	51	12	.....	5	7	.....
Sewing machines, etc	17	2	.....	7	.....	.....
Laundry machines	13	2	1	.....	2	.....
Leather working machinery	30	4	.....	10	4	1
Metal working machinery:						
Stamping machines	188	20	.....	12	14	.....
Drilling and milling machines	112	17	.....	22	15	1
Screw machines	19	5	.....	6	2	.....
Lathes	37	9	.....	13	4	.....
Drop and steam hammers	36	5	.....	4	3	3
Shears	22	2	.....	2	5	.....
Rollers	31	8	5	1	7	2
Others	106	19	.....	24	11	4
Polishing machines:						
Contact with grindstones, emery wheels, etc	34	10	.....	4	1	.....
Struck by fragments of polishing wheels	36	4	.....	5	1	.....
Other	25	7	.....	6	3	.....
Machines used in bakeries, confectionery establishments, etc	12	2	.....	1	2	.....
Machines not elsewhere specified	111	18	.....	14	17	.....
Total	2,149	398	18	264	256	35
HEAT AND ELECTRICITY.						
Explosives (powder, dynamite, etc.)	10	.....	.....	.....	2	.....
Explosion and ignition of gases	12	.....	8	.....	.....	.....
Explosion of boilers and steam pipes	24	.....	11	3	1	.....
Other injuries from steam and hot liquids	53	.....	48	.....	.....	.....
Caustics	31	.....	24	.....	1	.....
Explosion of molten metals	14	.....	11	1	.....	.....
Other accidents from molten metals	89	.....	70	.....	.....	.....
Vats, pans, etc. (containing hot liquids or caustics)	19	.....	17	.....	.....	.....
Electricity	50	.....	32	.....	.....	.....
Fire and heat, n. e. s	81	.....	64	.....	.....	.....
Total	383	.....	285	4	4	.....

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Factories and Quarries January 1—March 31, 1907.

DISABLEMENT.					PERMANENT DISABLEMENT.							
					LOSS OF ONE OR BOTH—							
Fractures.	Plural injuries.	Other.	Total.	Serious injuries, probably permanent.	Limbs.	Hands or feet.	Fingers.	Eyes.	Internal injury.	All others	Total.	Death.
3	5	2	30	7	.....	.....	3	.....	.....	.....	3	.....
1	.....	.....	3	.....	.....	.....	3	.....	.....	.....	3	.....
2	3	1	52	17	1	1	22	.....	.....	6	30	1
1	4	.....	18	3	.....	.....	1	.....	.....	.....	1	.....
.....	9	1	18	1	1	.....	.....	.....	.....	.....	1	2
8	21	1	77	11	2	.....	4	.....	.....	5	11	5
6	16	.....	56	10	.....	.....	1	.....	5	9	15	6
4	4	1	26	14	1	.....	2	.....	.....	3	6	.....
15	35	2	211	38	.....	.....	23	.....	2	13	38	5
3	14	2	33	7	1	2	3	.....	2	.....	8	5
1	2	3	83	29	.....	2	41	1	4	3	51	4
.....	.....	.....	5	2	1	.....	5	.....	.....	.....	6	.....
.....	.....	1	11	4	.....	2	40	.....	.....	1	43	.....
.....	1	.....	5	3	.....	.....	5	.....	.....	.....	5	.....
.....	.....	.....	2	.....	.....	.....	2	.....	.....	1	3	.....
.....	2	.....	17	8	.....	.....	8	.....	1	2	11	.....
.....	.....	.....	1	3	.....	.....	1	.....	.....	.....	1	.....
.....	8	3	42	7	.....	.....	6	.....	.....	6	12	2
.....	.....	.....	20	6	.....	.....	13	.....	.....	1	14	.....
1	2	2	29	4	1	.....	6	.....	.....	2	9	.....
.....	.....	.....	2	1	.....	.....	1	.....	.....	.....	1	.....
.....	.....	.....	2	.....	1	1	4	.....	.....	1	7	.....
.....	4	2	16	2	.....	.....	3	.....	.....	1	4	.....
.....	5	.....	16	.....	1	.....	2	.....	.....	1	4	.....
1	1	4	30	7	.....	2	10	.....	.....	2	14	.....
.....	.....	4	13	2	.....	.....	1	.....	.....	1	2	.....
.....	4	.....	9	1	1	.....	2	.....	.....	.....	3	.....
.....	.....	3	22	5	.....	.....	3	.....	.....	.....	3	.....
2	2	1	51	57	.....	1	74	.....	.....	5	80	.....
4	8	5	72	16	.....	.....	20	.....	2	1	23	1
.....	.....	1	14	3	.....	.....	2	.....	.....	.....	2	.....
.....	2	2	30	1	.....	.....	4	.....	.....	2	6	.....
1	1	2	19	10	.....	.....	7	.....	.....	.....	7	.....
2	.....	1	12	3	.....	.....	6	.....	.....	1	7	.....
2	4	.....	29	.....	.....	.....	1	.....	.....	.....	1	1
1	4	3	66	17	.....	.....	19	1	.....	3	23	.....
.....	.....	3	18	10	.....	.....	5	.....	.....	1	6	.....
1	5	15	31	3	.....	.....	1	.....	.....	.....	1	1
1	3	.....	20	5	.....	.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	5	1	.....	.....	4	.....	.....	2	6	.....
6	11	2	68	15	1	1	21	.....	.....	5	28	.....
66	180	67	1,284	333	12	12	379	2	16	78	499	33
.....	2	.....	4	1	.....	.....	.....	1	.....	3	4	1
.....	1	.....	9	1	.....	.....	.....	.....	.....	.....	.....	2
2	2	.....	19	.....	.....	.....	.....	.....	.....	.....	.....	5
.....	2	.....	50	1	.....	.....	.....	.....	.....	1	1	1
.....	1	1	27	4	.....	.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	12	1	.....	.....	.....	1	.....	.....	1	.....
.....	3	.....	73	16	.....	.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	17	.....	.....	.....	.....	.....	.....	.....	.....	2
.....	13	1	46	.....	.....	.....	.....	.....	.....	1	1	3
.....	5	.....	69	7	.....	.....	.....	.....	1	3	4	1
2	29	2	326	31	.....	.....	.....	2	1	8	11	15

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TABLE X. (b)—Causes and Results of Accidents in Factories

CAUSE. [n. e. s.=Not elsewhere specified]	Grand total.	Temporary				
		Lacerations.	Burns.	Cuts.	Bruises.	Sprains.
FALL OF PERSON.						
Fall from ladder, scaffold, platform, etc.	84	4	.....	3	9	18
Fall from machinery, trucks, engines, etc.	49	1	.....	.....	13	11
Fall caused by collapse of support	65	4	2	4	8	10
Fall through opening in floor	35	.....	3	.....	4	9
Fall in hoistway, shaft, etc.	11	.....	.....	.....	2	.....
Fall on stairs, steps, etc.	22	1	.....	3	4	4
Fall on level by slipping	30	2	.....	3	5	9
Fall on level by tripping	41	3	.....	7	9	8
All others	78	10	.....	12	13	17
Total	415	25	5	32	67	86
INJURED BY WEIGHTS.						
Falling rock and earth (quarrying, excavating, etc.)	36	2	.....	4	16	.....
Falling of pile of material (lumber, coal, cement, etc.)	58	8	.....	4	20	2
Falling walls, doors and other objects	215	36	.....	10	95	1
Tools or weights dropped by person injured	56	13	.....	3	32	.....
Falling objects dropped by other persons	22	5	.....	4	10	.....
Heavy materials or parts on which injured persons were at work	62	16	1	6	23	1
Machinery being moved	35	7	.....	3	10	2
Fall of materials from trucks in transit	31	4	.....	1	15	.....
Handling of castings, flasks, etc.	144	33	.....	10	47	7
Handling of stone, ore, etc.	12	2	.....	2	4	.....
Handling of lumber, paper and other materials	65	15	.....	3	19	6
Loading and unloading	148	28	.....	8	62	12
Cause insufficiently described for classification	36	6	.....	2	13	1
Total	921	175	1	60	366	32
FLYING OBJECTS.						
Struck in eye by piece of metal, glass, etc.	112	4	13	12	3	.....
Other injuries from flying objects	47	6	2	20	5	.....
Total	159	10	15	32	8	.....
VEHICLES AND ACCIDENTS CAUSED BY ANIMALS	103	19	.....	5	42	7
MISCELLANEOUS.						
Hand tools, (hammers, knives, wrenches, files, etc.)	111	24	1	42	19	2
Tools in hands of fellow workmen	39	13	.....	8	9	.....
Injured while fitting and assembling, n. e. s.	55	12	2	12	15	3
Hand caught on nail, wire, sharp projection, etc.	91	21	.....	30	4	.....
Hand cut on glass	7	.....	.....	6	.....	.....
Injured by stepping on nail, sliver, etc.	58	24	.....	8	.....	.....
Inhalation of poisonous gases	10	.....	.....	.....	.....	1
All other causes	84	7	1	9	6	10
Total	455	101	4	115	53	16
GRAND TOTAL	4,585	728	328	512	796	176

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and Quarries January 1—March 31, 1907—*Concluded.*

DISABLEMENT.				Serious injuries probably permanent.	PERMANENT DISABLEMENT.							Deaths.
					LOSS OF ONE OR BOTH—							
Fractures.	Plural injuries.	Other.	Total.		Limbs.	Hands or feet.	Fingers.	Eyes.	Internal injury.	All others.	Total.	
8	26	5	73	3	1	.....	.....	.....	2	3	6	2
6	11	3	45	2	.....	.....	.....	.....	.....	1	1	1
4	23	2	57	5	1	.....	.....	.....	1	.....	2	1
2	13	1	32	1	.....	.....	.....	.....	.....	1	1	1
2	5	.....	9	.....	.....	.....	.....	.....	.....	1	1	1
3	6	.....	21	.....	.....	.....	1	.....	.....	.....	1	.....
3	3	4	29	.....	.....	.....	.....	.....	.....	1	1	.....
3	7	2	39	1	.....	.....	.....	.....	1	.....	1	.....
4	10	6	72	4	.....	.....	.....	1	1	.....	2	.....
35	104	28	377	16	2	.....	1	1	5	7	16	6
2	4	1	29	3	.....	.....	.....	.....	.....	.....	.....	4
7	10	8	54	1	.....	.....	.....	.....	1	.....	1	2
14	19	7	182	15	1	.....	5	1	2	5	14	4
3	2	1	54	2	.....	.....	.....	.....	.....	.....	.....	.....
.....	1	1	21	.....	.....	.....	1	.....	.....	.....	1	.....
1	7	8	58	4	.....	.....	1	.....	.....	.....	1	.....
1	4	.....	27	3	.....	.....	2	.....	2	.....	4	1
.....	2	2	24	2	.....	.....	2	.....	.....	1	3	2
10	11	4	122	12	.....	.....	3	.....	3	3	9	1
1	1	.....	10	.....	.....	.....	1	.....	1	.....	2	.....
5	10	3	61	1	.....	.....	1	.....	2	.....	3	.....
7	15	1	133	6	.....	.....	2	.....	4	2	8	1
2	3	1	28	2	.....	2	1	.....	1	1	5	1
53	89	27	803	51	1	2	19	1	16	12	51	16
.....	1	49	82	16	.....	.....	.....	14	.....	.....	14	.....
1	1	7	42	3	.....	.....	.....	.....	.....	2	2	.....
1	2	56	124	19	.....	.....	.....	14	.....	2	16	.....
4	9	1	87	8	.....	.....	5	.....	2	1	8	.....
2	8	5	103	4	.....	.....	2	1	.....	1	4	.....
.....	3	1	34	1	.....	.....	.....	.....	2	2	4	.....
2	3	.....	49	4	.....	.....	1	.....	.....	1	2	.....
1	9	17	82	5	.....	.....	2	.....	.....	2	4	.....
.....	.....	.....	6	1	.....	.....	.....	.....	.....	.....	.....	.....
.....	.....	25	57	1	.....	.....	.....	.....	.....	.....	.....	.....
.....	3	4	8	.....	.....	.....	.....	.....	.....	.....	.....	2
3	11	18	65	7	.....	.....	3	1	4	1	9	3
8	37	70	404	23	.....	.....	8	2	6	7	23	5
169	450	246	3,405	481	15	14	412	22	46	115	624	75

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BUREAU OF FACTORY INSPECTION.

TABLE XI.—Fatal Accidents Reported in Year Ended September 30, 1906.

INDUSTRY.	AGES.				
	Under 16 years.	16–18 years.	18 years +	Age not reported.	Total.
I. MINERAL PRODUCTS.					
1. Stone	.....	.....	6	1	7
2. Iron and other mines	.....	.....	13	.....	13
3. Cement and lime	.....	.....	12	.....	12
4. Gypsum and plaster	.....	.....	9	.....	9
5. Other mineral products	.....	1	8	.....	9
II. METALS, MACHINERY AND CONVEYANCES.					
1. Metals other than iron and steel	.....	.....	6	.....	6
2. Blast furnaces, rolling mills and steel works	.....	.....	44	3	47
3. Foundries and machine shops	*1	.....	19	.....	20
4. Electrical apparatus	.....	.....	10	.....	10
5 a-f. Locomotives and vechicles	.....	1	9	.....	10
5g. Railway repair shops	.....	.....	11	.....	11
6. Ship and boat building	.....	.....	6	.....	6
7. Scientific apparatus	.....	.....	**1	.....	**1
III. WOOD MANUFACTURES	.....	.....	19	.....	19
IV. LEATHER	.....	.....	2	.....	2
V. CHEMICALS, PAINTS, EXPLOSIVES	.....	.....	9	1	10
VI. PAPER AND PULP	.....	2	11	.....	13
VII. PRINTING AND BOOK MAKING	1	2	5	.....	8
VIII. TEXTILES	.....	1	9	.....	10
IX. CLOTHING, MILLINERY, LAUNDRY, ETC.	.....	2	4	.....	6
X. FOOD, TOBACCO AND LIQUORS.					
1. Flour and grist mills	.....	.....	3	.....	3
2. Sugar refining, spice grinding, etc	.....	.....	4	1	5
3a. Provisions	.....	.....	5	.....	5
3b. Butter and cheese	.....	.....	1	.....	1
4. Bakeries and confectioneries	.....	.....	3	.....	3
5. Breweries	.....	.....	5	.....	5
XI. WATER, LIGHT AND POWER	.....	.....	4	1	5
TOTAL	2	9	b 238	7	256

* Not an employee. ** A woman.

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PUBLICATIONS

OF THE

New York State Department of Labor

The current report will be forwarded, on application, to any citizen of New York. Previous reports are free, but payment of carriage devolves upon applicants. Of the 1906 Report only Part I, Sixth Report of the Commissioner of Labor (transmitted to the Legislature Jan. 2, 1907), is ready for distribution.

FIFTH ANNUAL REPORT, 1905

Part I. Fifth Annual Report of the Commissioner of Labor (216 pages, paper covers. Contains, in appendices, preliminary reports of the Bureau of Factory Inspection, Bureau of Mediation and Arbitration, Free Employment Bureau, opinions by the Attorney-General, index of bills and statutes relating to labor acted upon by the Legislature of 1905, and a compilation of all the labor laws in force in 1905).

Part II. Twentieth Annual Report on Factory Inspection (301 pages, paper).

Part III. Nineteenth Annual Report of the Board of Mediation and Arbitration (423 pages, paper covers).

Part IV. Twenty-third Annual Report of the Bureau of Labor Statistics (1,000 pages, cloth bound).

Chap. I. Regulation of Labor Conditions on Public Work (122 pp.).
Chap. II. Economic Condition of Labor in 1905 (48 pages).
Chap. III. Trade Unions in 1905 (20 pages).
Appendix — Statistical Tables (810 pages).

Parts I–III may also be had in a single cloth-bound volume.

PREVIOUS ANNUAL REPORTS

1901.— FIRST ANNUAL REPORT. (3 vols., 1,819 pages.)
Vol. I. General Report and Report on Factory Inspection. (615 pages.)
Vol. II. Nineteenth Report of the Bureau of Labor Statistics. (780 pp.)
Vol. III. Fifteenth Annual Report on Mediation and Arbitration. (424 pp.)

1902.— SECOND ANNUAL REPORT. (3 vols., 2,740 pages.)
Vol. I. Report of the Commissioner of Labor. (50 pages.)
Report of the Free Employment Bureau. (16 pages.)
Report of the Bureau of Factory Inspection. (602 pages.)
Report of the Bureau of Mediation and Arbitration. (219 pp.)
Vol. II. The Growth of Industry in New York. (678 pages.)
Vol. III. Report of the Bureau of Labor Statistics. (1,172 pages.)

1903.— THIRD ANNUAL REPORT. (3 vols., 2,958 pages.)
Vol. I. General Report. (329 pages, including Special Report on Employers' Welfare Institutions.) *Also separately bound in paper.*
Seventeenth Report on Mediation and Arbitration. (363 pages.)
Vol. II. Twenty-first Report of the Bureau of Labor Statistics. (1,125 pp.)
Vol. III. Eighteenth Annual Report on Factory Inspection. (1,141 pages.)

1904.— FOURTH ANNUAL REPORT. (2 vols., 1,710 pages.)
Vol. I. Report of the Commissioner of Labor, etc. (287 pages.)
Report of the Bureau of Mediation and Arbitration. (205 pages.)
Report of the Bureau of Factory Inspection. (295 pages.)
Vol. II. Twenty-second Annual Report of the Bureau of Labor Statistics (923 pages, cloth bound).
Chap. I. Trade unions in 1904 (pp. ix–xxx).
Chap. II. The state of employment (pp. xxxi–xlii).
Chap. III. Wages and earnings (xliii–lvi).
Chap. IV. Changes in the hours of labor (lvii–lix).
Appendix — Statistical tables (pp. 1–864).

The three parts of Vol. I may also be had separately bound in paper.

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PUBLICATIONS OF THE DEPARTMENT OF LABOR—Continued

QUARTERLY BULLETINS

[Index and title-page for each volume sent on application; also editorial summaries of some of the BULLETINS out of print.]

1899.	Vol.	I. Nos. 1–3.	(242 pages.)	Nos. 1 and 3 are *out of print.*
1900.	"	II. Nos. 4–7.	(356 pages.)	Nos 4 and 7 are *out of print.*
1901.	"	III. Nos. 8–11.	(346 pages.)	Nos. 9 and 10 are *out of print.*
1902.	"	IV. Nos. 12–15.	(364 pages.)	
1903.	"	V. Nos. 16–19.	(480 pages.)	Nos. 16 and 17 are *out of print.*
1904.	"	VI. Nos. 20–23.	(449 pages.)	No. 23 is *out of print.*
1905.	"	VII. Nos. 24–27.	(480 pages.)	
1906.	"	VIII. Nos. 28–31.	(556 pages.)	

MISCELLANEOUS

MONOGRAPHS ON SOCIAL ECONOMICS

Prepared for the Louisiana Purchase Exposition, St. Louis, 1904.

I. Typical Employers' Welfare Institutions. By G. A. Stevens and L. W. Hatch. (30 pages, 4 illustrations.)

II. Labor Legislation in New York. By A. F. Weber. (30 pages.)

III. The Work of the Department of Labor. By A. F. Weber and L. W. Hatch. (42 pages, with tables and charts.)

IV. The Growth of Industry in New York. By A. F. Weber. (60 pages and charts.)

In addition to its own publications, the Department can supply reports of certain official and semi-official bodies, including the three Departmental Bureaus which formerly existed as separate branches of the State administration. Such reports, so far as they are not exhausted, are listed below.

Proceedings of the annual conventions of the Association of Officials of Bureaus of Labor Statistics of America: Fourteenth (1898), Nineteenth (1903), Twentieth (1904), Twenty-first (1905), and Twenty-second (1906).

Proceedings of the annual conventions of the International Association of Factory Inspectors of America: Second (1888), Seventh (1893), and Fourteenth (1900) to Twentieth (1906).

STATE FACTORY INSPECTOR

Of the fifteen annual reports made by the Factory Inspector (1886–1900), three can be furnished: First (1886), Seventh (1892) and Thirteenth (1898).

BOARD OF MEDIATION AND ARBITRATION

Of fourteen annual reports (1887–1900), only that for 1900 can now be supplied.

BUREAU OF LABOR STATISTICS

Of the eighteen annual reports made from 1883 to 1900, the following are still available:

1890.— EIGHTH ANNUAL REPORT. (2 vols., 1,187 pages.)

1891.— NINTH ANNUAL REPORT. (2 vols., 1,190 pages.)

1892.— TENTH ANNUAL REPORT. (2 vols., 1,087 pages.)

1895.— THIRTEENTH ANNUAL REPORT. (2 vols., 1,256 pages.)

1900.— EIGHTEENTH ANNUAL REPORT. (xiv, 1,072 pages.)

ALBANY
J. B. LYON COMPANY, STATE PRINTERS
1907

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OCT 4 1907

No. 34 September, 1907

STATE OF NEW YORK

DEPARTMENT OF LABOR

BULLETIN

Issued Under the Direction of
P. TECUMSEH SHERMAN, Commissioner of Labor

EDITOR:
ADNA F. WEBER, Chief Statistician

ASSOCIATE EDITORS:
GEORGE A. STEVENS LEONARD W. HATCH

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NOTE

The June BULLETIN contained (pages 239–254) the text of certain bills affecting the interests of labor which had passed the Legislature and at the time of publication were awaiting the action of the Governor. Of those bills the following received executive approval and became laws at the date specified:

Page 239. (Senate Bill 1837.) Employment of children in street trades. Approved July 16, 1907. as *Chapter 588.*

Page 241. (Senate Bill 1801.) Compulsory education of children. Approved July 15, 1907, as *Chapter 585.*

Page 244. (Senate Bill 795.) Tenement bakeshops. Approved July 19, 1907, as *Chapter 622.*

Page 247. (Assembly Bill 2262.) Hours of labor of railway telegraphers. Approved July 19, 1907, as *Chapter 627.*

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New York Labor Bulletin.

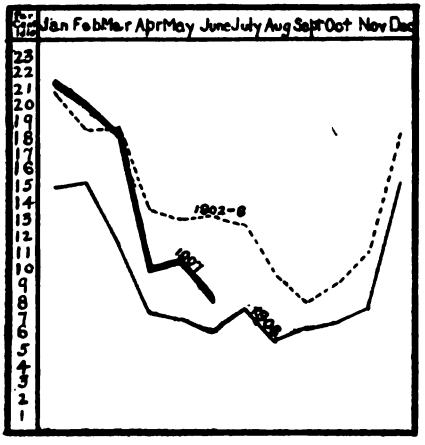
Published Quarterly by the State Department of Labor.

Vol. IX, No. 3. ALBANY, September, 1907 Whole No. 34

EDITORIAL SUMMARY.

Conditions of employment in the first six months of this year have not been so favorable as in the record year 1906, but they surpassed those of 1905, which was the next best year. Returns to the Bureau of Labor Statistics from associations of workingpeople with a membership of more than 93,000 wage earners in 85 different trades and occupations show that the average monthly number of idle workmen was 147 per 1,000 in the first half of 1907 as compared with 151 in the corresponding period of 1905, 104 in 1906, and an average of 164 for the past five years. At the end of June the number idle was 7,809 (81 per 1,000), of whom 1,200 were not working on account of illness, accident or other disability, 700 on account of labor disputes, and the remaining 5,900 on account of lack of employment or other non-personal causes. Building operations, which were retarded by the severity of the winter, are now unusually active in all the large cities. In New York the number of buildings begun and the number completed in the second quarter of the present year exceeded the record of last year and the estimated cost of projected buildings fell but little short of the 1906 record, the decline in the erection of houses in Manhattan and The Bronx having been almost counterbalanced by an increase in office buildings, etc. In both Rochester and Syracuse new records in the building department were attained and in Buffalo there was

The State of Employment.



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a large increase over the average of recent years, altho the total was somewhat below the figures for the corresponding months of last year.

* * *

Industrial Relations.

An unusually large number of labor disputes characterized the early summer, the most important of which was the strike of 15,000 longshoremen in New York City. The Bureau of Mediation and Arbitration recorded 112 new disputes in the second quarter of the year, as compared with 94 a year ago, and the number of direct participants was 37,650, as against 27,010 last year. It is estimated that the working time lost in consequence of labor disputes in April, May and June was equal to 869,000 days, which is the largest amount of time thus lost since the second quarter of 1904, when the entire building industry of New York City was stopped by the conflict between the unions and the newly formed association of employers. This year the only noteworthy strike in the building trades of the metropolis was that begun by the painters, who are outside the general arbitration agreement between employers' and employees' organizations. The annual meeting of the General Arbitration Board of the Building Trades was held about the first of August and was particularly harmonious. In the printing industry also the principle of arbitration has achieved a distinct success under a new agreement between the American Newspaper Publishers' Association and the International Typographical Union, which provides for the reference of disputes to conciliation boards, local and national, composed of an equal number of employers and employees. A demand of the newspaper compositors in New York City for a higher scale of wages went first to a local conciliation board, composed of two officers of the local union and two publishers, and upon their failure to agree was referred to a board of six, consisting of three officers or representatives of the National Union and three representatives of the Publishers' Association, no provision being made for an umpire in the revised agreement. On July 18th, the national board made an award giving the compositors an increase in wages from May 1st. The arguments of counsel before the two boards, which are quoted at length in the BULLETIN, contain much interesting information regarding economic and living conditions as well as the publishing business.

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Child Labor. The results of the biennial school census taken last October in the cities of the state and a few of the larger villages, summarized in Table I of the Appendix, show that there were 626,383 children between 8 and 14 years of age attending school and 18,104 out of school, of whom 15,763 resided in New York City. Of the children not in school 11,417 were reported to be legally absent, 6,340 illegally absent and 347 truant. The compulsory school law prohibits the employment of children under 14 years during the school term, and of children 14–16 years of age unless legally employed. Of the children 14–16 years old 104,667 were in school and 56,598 were out of school, of whom 6,837 were illegally absent and 238 truant. The number of employment certificates issued in April, May and June this year was approximately the same as last year, a few cities showing gains and others losses. A recent development in Buffalo is the employment of families in the home manufacture of paper boxes. Machinery is installed, material furnished and instruction given by the manufacturer, and school children work with other members of the family after school hours. Few apparently continue long at the work, 205 of 754 workers investigated having soon abandoned it. The "sweatshop" law does not apply to such home work in Buffalo, but the dwellings were found in good sanitary condition and not in pressing need of sanitary regulation.

* * *

Accidents. The number of accidents reported in factories and quarries in April, May and June was 4,966 as compared with 3,261 in the corresponding period of last year. That most of the increase was due to improved records is indicated by the fact that the number of deaths increased only from 74 to 86,—this class of accidents being difficult to conceal and consequently more faithfully recorded in previous years than the minor injuries, to which attention is now being devoted. Factory Inspector Williams has instituted a new department in the BULLETIN, in which he will publish suggestions to the deputy inspectors regarding the guarding of machinery. In the opening article in this issue he treats of textile machinery. It may be added that the employers'

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liability law enacted in 1902 considerably strengthens the hands of the inspectors in securing the guarding of machinery. While section 81 of the Labor Law has for many years made it the duty of employers to protect dangerous machinery, the courts held in suits for the recovery of damages by injured workmen that the requirement was simply a legal obligation which might be waived the same as any common-law obligation and that it was in fact waived when the employee continued at work on unguarded machinery (Knisley v. Pratt, 148 N. Y. 372). But the Liability Law, according to a recent decision reported in this BULLETIN, "no longer permits the courts to rule as a matter of law * * * that an employee assumes the risk caused by the employer's failure to discharge any duty of safety, or is guilty of contributory negligence by continuing in the work with knowledge of such failure." Those are questions to be submitted to the jury.

* * *

Accident Insurance. The BULLETIN also summarizes eighteen other recent decisions on the liability of employers and contains a general review of the accident insurance systems which in other countries have taken the place of negligence law. The newer legislation, which has been officially urged upon Congress by the President of the United States, has now been adopted in every industrial country of Europe except Switzerland and Hungary, in Australia and in one of the provinces of the Dominion of Canada. Its aim is to provide compensation for every bodily injury not intentionally caused by the workman and to diffuse the pecuniary burden over the community by including the costs of such indemnification among the regular expenses of production. The establishment, by law, of a scale of compensation for every variety of injury enables the employer to calculate the risks of the trade and to insure them in the same way that he insures his fire risks. The experience of England indicates that it costs but little more to make certain provision for the victims of accidents than it formerly did to conduct the expensive litigation attending numerous suits for damages, which still characterizes employers' liability in this country. While there might be some constitutional objec-

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tions to such legislation in certain states, it is believed that they may be overcome so far as respects the more hazardous occupations at least. Thus Commissioner Sherman, who contributes a special article to this BULLETIN on the subject of "Factory Laws and the Courts" in which he answers some of the criticism called forth by recent labor decisions, has taken the position that "the state might with unquestionable justice and propriety impose a license tax upon every dangerous factory, based upon the average number and seriousness of the accidents to its employees" and that, therefore, there can "be no valid objection to profiting by the experience of other nations and in effect laying and applying such a tax in the form of compulsory insurance of employees."

* * *

Trade Union Statistics.

A compilation of the statistics of labor organizations in the principal countries of the Western world indicates that the number of members in good standing now exceeds nine million, which is one million more than the indicated membership one year ago. The largest growth was in Germany, which contributed a gain of 400,000, thereby outstripping Great Britain and almost overtaking the United States. At the present time it is estimated that labor organizations in the United States and Canada have about 2,300,000 adherents, whereas the organizations in Germany last year claimed an average membership of 2,215,000 and the trade unions of Great Britain at the beginning of 1906 were officially credited in government reports with a total membership of 1,888,000. The organized labor movement also made great progress last year in Austria-Hungary and the Scandinavian countries, but lost ground in Spain. Five of the European countries now have more trade union adherents than the state of New York, which still ranks ahead of Russia, Hungary and Spain as well as the smaller countries.

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THE STATE OF EMPLOYMENT.

In the opening months of the present year the labor market exhibited many unfavorable conditions, owing largely to a diminution in the unusual activity that has for some time characterized the building and construction industries in Greater New York. This relapse, as noted in the BULLETIN for June, did not extend to manufacturing industries, and the more recent statistics collected by the Bureau of Labor Statistics show that there has been a marked improvement in building work in the metropolis this summer (Table VI, Appendix). The proportion of idle members of 191 representative trade unions, representing some 80 different occupations, declined from 21.5 per cent at the end of January, 20.1 per cent at the end of February, and 18.3 per cent in March, to 10.1 per cent at the end April, 10.5 per cent in May and 8.1 per cent in June. How these figures compare with previous years is shown in the following table:

NUMBER AND PROPORTION OF ORGANIZED WAGE WORKERS IDLE.

END OF—	No. of unions.	Members reporting.	Thereof idle.	PERCENTAGE IDLE						
				1907.	1906.	1905.	1904.	1903.	1902.	1902–6
January.....	191	92,871	20,007	21.5	15.0	22.5	25.8	20.5	20.9	20.9
February.....	191	92,797	18,653	20.1	15.3	19.4	21.6	17.8	18.7	18.6
March.....	191	93,242	17,018	18.3	11.6	19.2	27.1	17.6	17.3	18.6
April.....	191	94,402	9,563	10.1	7.3	11.8	17.0	17.3	15.3	13.7
May.....	191	94,755	9,955	10.5	7.0	8.3	15.9	20.2	14.0	13.1
June.....	191	95,840	7,809	8.1	6.3	9.1	13.7	23.1	14.5	13.3
Mean.....	....	.....	.....	14.7	10.4	15.1	20.2	19.4	16.8	16.4

Only in January and February was this year's proportion of idle workmen above the average of the five years 1902–6, and in the last month or so it was below that of every recent year with the single exception of 1906,—the record year of the decade.*

While the number of wage earners reporting as to idleness was steadily increasing, the number as well as the proportion actually idle decreased throughout the period save in the month of May. The causes of the temporary check at that time are revealed in Table IX of the Appendix, from which it appears that the number idle in consequence of labor disputes jumped from 361 in April to

* As nearly as can be estimated the average number of days of employment for the organized wage workers of this state, in each year of the past decade, was as follows:

1897	1898	1899	1900	1901	1902	1903	1904	1905	1906
227	232	258	246	260	264	256	258	272	278

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1,442 in May. The industries affected are shown in the following table:

NUMBER OF MEMBERS OF REPRESENTATIVE TRADE UNIONS RENDERED IDLE ON ACCOUNT OF LABOR DISPUTES AT THE END OF—

INDUSTRIES.	Jan.	Feb.	March.	April.	May.	June
1. Building, stone working, etc....	249	410	950	71	52	.....
2. Transportation.....	.....	.....	.....	.....	942	310
3. Clothing and textiles.....	.....	50	.....	.....	.....	.....
4. Metals, machinery and shipbuilding.....	4	.....	9	15	7	40
5. Printing, binding, etc.....	315	302	300	269	255	248
6. Wood working and furniture....	87	127	.....	.....	.....	.....
7. Food and liquors.....	.....	.....	.....	.....	.....	.....
8. Theaters and music.....	.....	.....	.....	.....	.....	.....
9. Tobacco.....	.....	.....	.....	2	182	100
10. Restaurants, retail trade.....	.....	.....	.....	.....	.....	.....
11. Public employment.....	.....	.....	.....	.....	.....	.....
12. Stationary engine men.....	.....	.....	.....	.....	.....	.....
13. Miscellaneous.....	.....	.....	6	4	4	.....
Total 1907.....	655	889	1,265	361	1,442	698
1906.....	1,498	1,359	1,170	956	1,627	1,835
1905.....	3,036	2,775	3,288	2,197	1,266	1,197
1904.....	2,541	1,559	6,820	2,963	3,712	1,647
1903.....	?	1,086	2,083	5,274	9,668	15,983

Labor disputes in the earlier months were mainly confined to the building, printing and furniture industries and by April the printers alone were affected in any considerable number. In May the transport trades and the tobacco trades were involved through the extensive strike of the longshoremen in New York City (see BULLETIN for June, p. 166) and the cigar makers of Albany; but even then the total number out on strike was rather under the average and in June it had fallen to an unusually low figure, so far as the 191 representative unions reporting are concerned. But the records of the Bureau of Mediation and Arbitration, reproduced in the following pages, show that the number of strikes in this period was considerably larger than usual this year, as was also the number of workmen involved and the amount of working time lost in consequence of disputes.

PERCENTAGE OF UNEMPLOYED MEMBERS OF LABOR ORGANIZATIONS IN EACH INDUSTRY AT THE END OF— . .

GROUPS OF TRADES.	Jan.	Feb.	Mar.	April.	May.	June.	Mean for six mos.
I. Building, stone working, etc.:							
1902.....	33.6	34.3	23.5	19.1	13.3	14.1	23.0
1903.....	23.5	20.4	21.6	23.8	37.3	44.9	28.6
1904.....	38.3	31.2	42.6	12.8	9.3	11.9	24.4
1905.....	41.5	32.6	31.8	18.8	12.8	12.7	25.0
1906.....	14.3	16.4	9.4	6.7	7.6	6.4	10.1
1907.....	40.4	36.1	32.5	17.7	14.9	10.7	25.4

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PERCENTAGE OF UNEMPLOYED MEMBERS OF LABOR ORGANIZATIONS IN EACH INDUSTRY AT THE END OF—

GROUPS OF TRADES.	Jan.	Feb.	Mar.	April.	May.	June.	Mean for six mos.
II. Transportation:							
1902	23.7	26.2	20.3	8.8	15.9	14.6	18.3
1903	38.6	38.0	33.0	14.4	6.4	7.0	22.9
1904	40.6	37.7	42.1	33.2	35.3	7.7	32.8
1905	30.8	26.4	25.5	13.7	6.3	6.6	18.2
1906	32.6	29.8	23.6	4.2	4.3	5.9	16.7
1907	28.2	26.5	25.3	5.1	9.2	6.3	16.8
III. Clothing and textiles:							
1902	19.2	5.4	21.4	27.6	29.1	28.3	21.8
1903	19.3	20.9	22.3	27.2	29.0	22.4	23.5
1904	30.0	20.5	28.3	39.4	35.7	38.4	32.1
1905	15.2	12.8	16.3	11.3	7.3	10.2	12.2
1906	8.1	12.5	10.2	9.4	10.4	5.3	9.3
1907	5.4	9.2	6.5	8.2	10.8	8.2	8.1
IV. Metals, machinery, shipbuilding:							
1902*	7.5	7.2	4.7	2.2	2.7	3.2	4.6
1903	13.6	6.7	5.7	5.8	7.2	9.0	8.0
1904	13.7	13.8	13.0	13.3	16.1	14.7	14.1
1905	9.4	7.9	6.2	4.1	4.6	4.2	6.1
1906	7.1	5.1	5.4	4.5	4.7	4.8	5.3
1907	5.5	5.6	3.7	4.5	4.9	4.4	4.8
V. Printing, binding, etc.:							
1902	12.2	12.9	14.7	13.2	9.2	12.9	12.5
1903	13.2	11.5	10.8	13.4	12.1	11.8	12.1
1904	15.0	11.0	16.0	10.4	11.3	12.4	12.7
1905	7.3	7.3	7.2	8.6	8.6	13.8	8.8
1906	19.6	18.9	18.1	17.0	16.9	16.3	17.8
1907	12.9	12.8	13.1	11.5	11.6	11.5	12.2
VI. Wood working and furniture:							
1902	32.6	35.1	19.0	19.3	14.2	14.8	22.5
1903	27.2	25.5	35.3	38.8	18.3	38.2	30.6
1904	37.0	33.7	34.4	27.0	26.3	28.7	31.2
1905	24.8	33.0	34.1	21.1	14.7	9.3	22.8
1906	14.5	13.2	13.2	15.3	11.9	10.8	13.2
1907	19.7	15.4	16.8	18.4	20.2	17.0	17.9
VII. Food and liquors:							
1902	8.2	7.5	8.0	8.4	5.2	5.4	7.1
1903	10.9	8.2	7.1	9.0	5.6	5.7	7.8
1904	6.3	7.2	6.6	7.2	7.1	5.8	6.7
1905	9.3	9.7	8.4	7.7	6.6	5.8	7.9
1906	7.4	6.9	6.0	16.9	7.5	5.2	8.3
1907	8.2	8.7	7.4	5.2	5.4	5.6	6.8
VIII. Theaters and music:							
1902	13.4	13.0	9.6	5.2	0.2	17.5	9.8
1903	20.4	4.3	1.8	16.9	28.1	27.5	16.5
1904	9.9	9.2	11.3	13.1	12.5	15.6	11.9
1905	12.4	13.1	12.2	8.6	10.5	15.8	12.1
1906	7.6	4.9	6.1	4.8	5.2	4.8	5.6
1907	3.0	3.0	7.1	10.8	11.3	15.3	8.4
IX. Tobacco:							
1902	4.4	4.3	4.7	8.8	4.6	4.6	5.2
1903	5.0	4.7	3.8	5.5	4.6	4.4	4.7
1904	5.6	7.7	7.9	10.5	7.4	8.7	8.0
1905	5.6	6.0	6.6	8.4	5.2	3.6	5.9
1906	4.7	8.8	6.9	4.8	3.7	3.3	5.4
1907	5.4	5.7	4.3	4.9	10.7	8.5	6.6

* Includes Group XII.

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PERCENTAGE OF UNEMPLOYED MEMBERS OF LABOR ORGANIZATIONS IN EACH INDUSTRY AT THE END OF—

GROUP OF TRADES.	Jan.	Feb.	Mar.	April.	May.	June.	Mean for six mos.
X. Restaurants and retail trade:							
1902	7.6	7.2	4.8	12.3	3.6	2.5	6.3
1903	10.5	7.5	9.6	7.1	3.5	5.7	7.3
1904	10.9	11.0	9.2	8.8	5.8	3.3	8.2
1905	8.5	10.6	9.8	4.5	3.9	4.1	6.9
1906	9.5	10.7	6.6	6.1	4.7	4.8	7.1
1907	3.3	6.7	5.1	6.9	5.6	3.5	5.2
XI. Public employment:							
1902	3.7	3.8	2.2	1.8	2.0	6.6	3.4
1903	2.8	3.9	3.1	3.1	2.3	4.2	3.2
1904	11.5	11.9	6.9	6.8	7.3	8.2	8.8
1905	6.1	4.9	7.4	7.0	5.9	8.3	6.6
1906	4.7	4.1	2.5	3.3	2.4	1.8	3.1
1907	2.5	2.1	1.7	1.4	1.7	0.7	1.7
XII. Stationary enginetending:							
1902	*	*	*	*	*	*	*
1903	3.7	4.3	3.8	3.0	3.6	3.2	3.6
1904	3.5	3.2	3.5	2.4	3.3	4.6	3.4
1905	1.6	1.6	1.1	2.8	2.8	3.1	2.2
1906	2.2	1.8	1.6	2.5	2.0	1.7	2.0
1907	1.3	1.8	1.5	2.6	1.0	1.3	1.6
XIII. Miscellaneous:							
1902	22.4	17.1	5.8	1.7	0.5	0.8	8.1
1903	13.5	7.2	0.4	4.8	9.5	15.6	8.5
1904	7.7	4.2	3.8	3.0	2.3	2.4	3.9
1905	4.2	5.7	5.4	3.1	3.0	3.8	4.2
1906	3.6	2.6	2.2	2.2	1.9	2.0	2.4
1907	3.6	5.1	2.6	2.3	2.6	3.4	3.3

At the end of June conditions of employment in nearly all trades were much above the average. While there were as a rule more unemployed workers in the various industries than in the same month last year there were fewer than in 1905, the next best year of the decade, in all but three of the groups in which all trades are classified. In New York City, in which reside two-thirds of the wage earners herein included, the conditions of employment at the end of June were more favorable than in any of the past five years with the exception of 1906, thus:

IDLENESS IN REPRESENTATIVE NEW YORK CITY UNIONS AT THE END OF JUNE.

YEAR.	Unions.	Members reporting.	THEREOF IDLE. Number.	Per cent.	IDLE ON ACCOUNT OF— Labor disputes.	Disability.	All other reasons.
1903	77	68,566	21,443	31.0	15,296	.....	.....
1904	.....	66,629	11,250	16.9	1,349	.....	.....
1905	85	64,294	7,149	11.1	1,005	756	5,388
1906	87	61,946	4,186	6.8	1,315	598	2,273
1907	89	64,117	6,421	10.0	567	781	5,073

* Included in Group IV.

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INDUSTRIAL RELATIONS IN NEW YORK.

Statistics of Disputes in April, May and June.

The Bureau of Mediation and Arbitration recorded 112 strikes and lockouts which began in the second quarter of 1907. The number of employees on strike or locked out in these disputes was 37,650 while 4,911 others were temporarily thrown out of work by them though not themselves directly concerned in the controversies. The direct participants lost during the quarter* 648,267 days of working time and those indirectly affected lost 86,183 days. Besides the new disputes of the quarter there were in existence 10 others, 8 begun in the first quarter of this year and two (the lithographers' and printers' eight-hour strikes) dating back to 1906. The amount of time lost on account of these old disputes during the second quarter of this year was perhaps 135,000 days, which would make the total time lost in disputes for April, May and June in round numbers 869,000 working days. With this may be compared a similar total for the second quarter of last year of 550,000 days.

Comparison for the second quarter of each of the last five years, as below, shows that there were more disputes begun during April, May and June of this year than in any of the other four years. Likewise the number of workpeople directly concerned in new disputes was considerably larger this year than last and more than twice as great as in 1905 but does not quite equal the numbers in 1904 and 1903.

	Second Quarter.				
	1907.	1906.	1905.	1904.	1903.
Number of new disputes	112	94	56	43	97
Employees directly concerned	37,650	27,010	15,991	39,000	40,699

The leading new disputes of the quarter (that is, those which caused the loss of as much as 2,000 days of working time within the quarter) numbered 28 as compared with 26 such in the corresponding quarter of 1906. The localities, trades, dates and

*Fourteen disputes lasted beyond June 30th but the above figures include in such cases only the time lost prior to July 1.

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principal statistics for these leading disputes are set forth in the list below where they are arranged in the order of their importance as measured by aggregrate duration. Just one half the number were in New York City and two of these, the strikes of longshoremen and painters which far exceeded all others in size, together account for considerably more than one half both of the whole number of workpeople directly concerned in new disputes and of the working time lost during the quarter.

LOCALITY.	Trade.	Date.	EMPLOYEES AFFECTED. Directly.	Indirectly.	Aggregate days lost.
New York City‡	Longshoremen	Apr. 29–June 13	15,000	.....	400,000
New York City‡	Painters	Apr. 1–.....	6,000	.....	*100,000
Cohoes, Troy, Waterford‡	Carders	Apr. 1–25	175	3,223	48,000
Amsterdam	Rug weavers	Apr. 29–Aug. 3	87	445	*28,728
Albany	Cigar makers	May 27–Aug. 3	300	120	*12,600
Lockport‡	Fiber workers	Apr. 24–July 10	38	151	10,773
New York City	Wire workers	June 3–.....	400	.....	*9,600
New York City	Jewelry case makers	Apr. 29–.....	176	.....	*9,504
New York City	Vest makers	June 27–July 3	3,000	.....	*9,000
Buffalo	Freight handlers	May 20–27	800	700	7,800
New York City‡	Laborers (sugar refinery)	May 6–11	1,000	70	6,420
New York City	Freight handlers	May 1–14	510	.....	6,120
Hornell, Port Jervis, Buffalo, Rochester	Machinists (Erie Ry.)	May 25–June 15	192	.....	*5,952
Cohoes	Shoddy workers	June 1–29	236	.....	5,900
New York City	Underwear makers	June 3–.....	215	.....	*5,160
New York City	Lumber handlers	Apr. 30–May 28	200	.....	5,000
New York City	Cap makers	May 17–.....	175	.....	*4,550
New York City	Stationary firemen	Apr. 22–June 11	90	.....	3,960
Newburgh‡	Carpenters	Apr. 8–July 17	200	.....	†3,500
Binghamton	Street railway employees	Apr. 26–July 21	80	.....	†3,000
New York City‡	Enamelware makers	May 13–23	510	.....	2,867
New York City§	Ice handlers	June 26–July 5	700	.....	*2,800
Buffalo	Section hands	Apr. 5–16	270	.....	2,700
Troy	Plumbers	Apr. 1–May 4	80	.....	2,400
Rochester	Laborers (railway construction)	Apr. 11–18	350	.....	2,450
New York City§	Street cleaners (drivers)	June 25–July 1	¶700	.....	*2,300
Albany‡	Coal handlers	May 13–22	240	.....	2,160
Yonkers	Teamsters	Apr. 26–30	500	.....	2,000

* To June 30th. † Little or no lost time after June 30. ‡ See narrative in June BULLETIN. § See narrative in following pages. ¶ Later information changes this figure to 914.

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A classification of the new disputes according to the principal cause or object in each case, as in the table below, brings out the facts that efforts to advance wages were the prime cause of the quater's strikes and lockouts. In 60 per cent of the disputes and for 85 per cent of the workpeople directly concerned that was the chief issue.

	NUMBER OF DISPUTES.					
	WON BY—					
Cause or Object.	Workers.	Employers.	Compromised.	Pending or not reported.	Total.	Employees directly concerned
Increase of wages.....	10	28	26	4	68	32,247
Reduction of hours...	3	2	3	.....	8	1,222
Trade unionism.....	3	6	.....	4	13	1,873
Particular persons or classes.....	3	7	.....	.....	10	606
Working arrangements	.....	5	2	.....	7	949
Sympathetic.....	.....	2	.....	.....	2	540
Miscellaneous.....	1	2	1	.....	4	213
Total.....	20	42	32	8	112	.....
Employees directly concerned.....	4,271	6,179	20,156	7,044	.....	37,61

In respect of results, employers won complete victories twice as often as did the workpeople, and of the latter the number of those who suffered total defeat exceeded the number af those who were completely successful by over 40 per cent. Two things in connection with the figures for compromises in this quarter must be considered, however, in order to properly judge of results. In the first place, it is to be observed that most of the compromises were in disputes concerning increase of wages and in such cases a compromise ordinarily signifies some gain for the workers which fact would tend to diminish the weight of the balance in favor of the employers. But on the other hand and of more importance, the longshoremen's dispute in New York City with 15,000 workmen directly concerned is classed among those compromised because 3,500 of the 15,000 actually secured a part of the increase they demanded. But the remaining 11,500 secured no part of their demands and if these were transferred to the column for disputes wholly won by the employers the balance of results in favor of the latter would be much greater than appears from the figures as they stand.

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INTERVENTION OF THE BUREAU OF MEDIATION AND ARBITRATION.

NEW ROCHELLE SPEEDOMETER MAKERS.

On March 14th about 100 hands (75 men and 25 women) went on strike at the works of the Jones Speedometer Company at New Rochelle. For some time prior to the above date there was considerable friction between the employees and the management, caused by the latter's refusal to deal with the union representatives, and the dismissal of several workmen for the reason, as alleged by the strikers, that they were members of the union. The Bureau intervened in this dispute and arranged several conferences at which there was full discussion of the matters in dispute. The result, however, was failure to affect a settlement. The plant is being operated successfully and the strike may be considered as having failed.

NEW YORK CITY (QUEENS) AGATE WARE MAKERS.

A strike at the factory of Lalance & Grosjean in Woodhaven began on July 8th, caused by a requirement on the part of the company that the men make out a new form of time slip on which was to be shown the cost of each process of production until an article was finished. On July 11th representatives of the Bureau of Mediation and Arbitration undertook conciliation but without success. On July 12th 400 more men joined the 250 on strike in refusing to make out time slips; but after a week, on July 19th, 500 of the strikers returned to work and on July 22d the others returned, all agreeing to comply with the company's rule in the matter of making out the new form of time slip. The total loss in wages in this dispute is estimated at $12,000.

NEW YORK CITY ICE HANDLERS.

This strike commenced on June 26th and ended July 5th. For some time prior to the strike there was dissatisfaction among the men, it being claimed that helpers were not always paid their full week's wages of $12. They state that they were often told that the wagon did not deliver enough ice during the week to warrant the payment of $12 a week. There were other contentions as to the number of hours to constitute a week's work and shrinkage while ice was undelivered. A committee waited on the manager

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of the local branch of the company but got no satisfaction. It was practically for recognition of the union in the adjustment of their grievances that they went on strike.

On June 27th the Bureau of Mediation and Arbitration got in touch with the strikers and the American Ice Company. Mr. Stephen Ferretti, business agent of the union, and Mr. B. Brandon, secretary-treasurer of Local No. 743, United Teamsters of America, requested that a conference be arranged. Mr. Oler, president of the company, refused to meet a committee of the union, but agreed to receive a statement from the men as to what they demanded.

A committee representing the men met at the sub-office of the Department at 114 East Twenty-eighth street, New York City, and drafted the following, which was submitted to Mr. Oler:

"The first proposition is that the American Ice Company will consent to meeting a committee representing former employees.

"The demands are $16 per week for all drivers, including truck drivers; helpers to receive $2 per day and bargemen $2.50 per day.

"A day's work to consist of thirteen (13) hours per day for seven (7) months of the year, as follows: May, June, July, August, September, October and November.

"All allowances for shrinkage on ice shall be as follows: Ten per cent for the following five months: May, June, July, August and September, and five per cent for the remaining seven months."

Mr. Oler refused to consider anything until the men went back to work. He offered to take all the men back and to give them their old routes, etc., and then take up the matter of the grievances complained of. Mr. Oler's proposition was presented to the men and they refused to declare the strike off. On July 5th Mr. Oler agreed to see a committee of three, which consisted of William Brown, G. W. Haines and C. Maisenbecker. At this conference the following agreement was entered into verbally: 1st. The men to call off the strike and all would be taken back and placed on their old routes; 2d. The drivers to receive $16 per week and helpers $12; no helper to be paid less than $12 a week when he worked full time; 3d. A bonus of $25 to be paid drivers and $12 to helpers, notwithstanding that under the contract they had waived their rights to same; 4th. That all men who so desired could wear their union buttons when at work; 5th. There would

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be no discrimination against the men, and their right to be members of the union would not be interfered with. These terms involved no change in working conditions.

On July 5th the union voted to end the strike, and the following morning the men returned to work. There were 800 drivers and 800 helpers employed of whom 350 drivers and 350 helpers went on strike.

NEW YORK CITY STREET CLEANERS (DRIVERS).

On June 25th about 300 drivers employed in the street cleaning service of the Borough of Manhattan went on strike. The number of strikers varied from day to day but there were in all 914 men who were out at some time, which had the effect of very seriously impairing the service, causing an accumulation of garbage and refuse in many of the streets which in the prevailing high temperature at once became a menace to the public health. The cause of the strike was failure of the workmen to secure satisfactory adjustment of the following demands:

1. That 48 hours constitute a week's work, and that overtime be paid at the rate of 25 cents per hour.
2. That no fines be imposed without opportunity for a hearing.
3. That the schedule of fines be reduced, or a system of suspension be substituted for fines.
4. That men who have had their badges taken away, have them returned.

This Bureau had no knowledge of the dispute until the strike had actually taken place. As soon as it came to our knowledge we intervened and succeeded in arranging a conference between the Commissioner of Streets and the committee representing the men on strike. The Commissioner of Streets insisted that this conference was not official and took the position that under the law and the rules of the Department of Streets he could not deal officially with the strikers and would make no definite promise other than that he was at all times ready and willing to give a hearing to any employee actually in the service of the department. The strikers alleged that they had made several unsuccessful efforts to see him and had never been able to get further than the Deputy Commissioner. The result of this conference was a failure. After several conferences with the city authorities, another

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meeting of the Commissioner of Streets and the strikers' committee was being arranged for when it developed that the Central Federated Union of New York City had appointed a committee which had conferred with the Mayor. The chairman of said committee joined the conference which was being held between the strikers' committee and representatives of this Bureau, and suggested that the committee then present call on the Mayor. This was concurred in by the Bureau's representatives and agreed to by the committee. The meeting between the Mayor and the committee resulted in the strike being terminated forthwith July 1st. The committee reported their understanding of the conference to be, that the Mayor would investigate any complaints properly presented, and, if founded on facts make proper adjustment of the same.

NEW YORK CITY (BROOKLYN) TEAMSTERS.

A strike of 14 teamsters employed in a Brooklyn factory commenced on June 28th and ended July 31st. The cause of the strike was a demand on the part of the men through the union for an increase of drivers' pay from $13.00 to $15.00 per week for men who were driving teams and from $9.00 to $12.00 per week for men who were driving single horses, recognition of the union including the right of the delegate to arrange with the employer as to hours of work, etc., wearing of the union button, and the signing of a trade agreement. On July 29th the Bureau undertook conciliation and secured the following proposition for the consideration of the men: compensation of drivers to be $14.00 per week; drivers absent without due notice, or reporting late, to be paid at the rate of $13.00 per week; no union or delegate of the union to be recognized in the employment of men; the men who loaded the wagons and went out in sympathy with the strikers to be taken back to work; and workmen to be permitted to wear the union button. These terms were accepted by the men and the dispute was thus settled.

WEST SENECA BLACKSMITHS AND HELPERS.

On request of the business agent of the union of blacksmiths and helpers on July 17th we undertook conciliation in this dispute

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which had its origin June 11th. Investigation demonstrated the situation to be that immediately following a meeting of the union, at which it was decided to ask for a general increase in wages in the Buffalo territory, the Lackawanna Steel Company dismissed about one-half of its force of blacksmiths alleging economic reasons therefor. The union looked upon this action as intended to forestall the demand for an increase in wages and ordered all of its members, 49 in number, on strike. At a conference with the management on July 20th, the employers' representative stated that they had all of the help required in this department and that so far as they were concerned the strike had terminated and, therefore, refused to open negotiations relating to this dispute.

ARBITRATION BETWEEN NEWSPAPER PUBLISHERS AND COMPOSITORS OF NEW YORK CITY.

The first real test of the practicability of the new plan of arbitration of the American Newspaper Publishers' Association and the International Typographical Union was recently made in the scale contention between Typographical Union No. 6 and the local branch of the publishers' association in New York City.

This amended arbitration agreement, which went into effect on May 1st, last, and is to continue until 1912, provides that within thirty days after a subordinate union has made a detailed demand for a change of scale, or within sixty days after a publisher has made a similar demand, the two parties in interest are obliged to have a conference, the object of which is conciliation, and every effort is required to be made to effect a settlement. In the event of failure to agree each party must then prepare a statement of the conditions that it seeks to establish and forward copies thereof to the Commissioner of the American Publishers' Association and the president of the International Typographical Union (accompanied by a letter of transmittal, to be signed jointly by the parties affected, certifying that they are acquainted with the contents of both statements. The Commissioner and president shall thereupon determine the questions or subjects which can be properly submitted to arbitration. In case these two officials cannot agree their differences are immediately referred to the National Board of Arbitration for adjustment. Within ten days after the ques-

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tions to be arbitrated have been fully determined a local Board of Arbitration may be formed, two members thereof to be named by each side, the board as thus constituted to select from among its members a chairman and secretary. If, within an additional twenty days, it is found impossible to reach an agreement the case shall be at once referred to the National Board of Arbitration, consisting of the three members of the executive council of the International Typographical Union and the three special standing committeemen of the American Newspaper Publishers' Association, or their proxies. If either party to the dispute refuses to accept and comply with the decision of the National Board of Arbitration all aid and support to the resistant employer or local union shall be withdrawn by both parties to the agreement and the acts of the recalcitrant publicly disavowed.

The amended plan differs materially from previous methods of arbitration in the printing industry, in that it eliminates a fifth member, or umpire, of a local board and a seventh member nationally. Under the old system objection had been urged against this additional member, or chairman of the arbitration board. It had been repeatedly pointed out that this arbiter was usually "taken from walks of life where there was little knowledge of newspaper management and composing-room conditions that are essential to a fair adjustment of a proposed wage scale in controversy." Speaking of the modified plan, Mr. James M. Lynch, president of the International Typographical Union, says that

"in its general scope this is the form of arbitration that has given satisfaction in England and in all instances where resorted to in this country. It permits of the broadest form of arbitration, and thus guarantees industrial peace to the parties to such a contract. Men engaged in the industry covered by such an agreement themselves adjust their differences without the aid, advice or assistance of outside parties whose knowledge of the subject at best is but academic and theoretical. It may be asserted that these evenly-balanced tribunals may deadlock and disagree, but experience proves the contrary. The arbiters approach their task with the knowledge that industrial peace depends on their ability to weigh impartially the evidence and facts making up the case presented for their consideration, and to reach a verdict in accordance with the circumstances and conditions. There can be no shifting of responsibility, so far as the national board is concerned, to other shoulders."

In the adjustment of differences between parties to the agreement the National or Local Board of Arbitration is governed by the following rules:

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"1. It may demand duplicate typewritten statements of grievances.

"2. It may examine all parties involved in any differences referred to it for adjudication.

"3. It may employ such stenographers, etc., as may be necessary to facilitate business.

"4. It may require affidavit on all disputed points.

"5. It shall have free access to all books and records bearing on points at issue.

"6. Equal opportunity shall be allowed for presentation of evidence and argument.

"7. The deliberations shall be conducted in executive session, and the findings, whether unanimous or not, shall be signed by all members of the board in each instance.

"8. In event of either party to the dispute refusing to appear or present its case after due notice, it may be adjudicated in default, and findings rendered against such party.

"9. All evidence communicated to the board in confidence shall be preserved inviolate, and no record of such evidence shall be kept, except for use on appeal, in which case inviolability shall be preserved."

It was on March 3d that Typographical Union No. 6 remodeled its scale of prices for newspaper printers, and it then resolved to put the proposed schedule into effect on May 1st following. This scale called for the payment of $6 per diem to members employed either in the daytime or night on morning newspapers and $5.50 per day to those engaged on evening newspapers. The existing minimum rates were, respectively, $4.50 and $4 per day. The scale for a third shift, the seven hours' working time for which is between 2 A. M. and 10 A. M., was placed at $6.25 daily, an advance of 25 cents, while members employed on evening newspapers publishing Sunday editions could not accept less than $5.70 per day and on Saturday night, the price was fixed at $6.50. Under the bill of prices that prevailed at the time the demand was made rates for this class of work were $4.33⅓ and $5, respectively. For compositors called to work at or before 5 o'clock A. M. a charge of $2 extra was ordered in addition to overtime, and when beginning operations at or before 7 o'clock A. M. $1 extra, besides overtime pay. Members called to work on Sundays or holidays between 8 o'clock A. M. and 6 o'clock P. M on evening newspapers issuing Sunday editions to be paid at the rate of $1 per hour, but in no case to receive less than a day's compensation. Wages of extras in machine offices to be 50 cents above the regular daily scales. The minimum of competency of lino-

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type and other machine operators was established at 22,500 ems per day of eight hours. It was further provided that on all matter set for daily newspapers proof shall be read and copy held by members of the union. An advance of from $1.50 to $2 per week for machine tenders was also proposed. Up to the time of the reconstruction of the scale the union had no rules governing the employment and instruction of apprentices in newspaper establishments — in truth, neither proprietors nor union cared to assume the responsibility of teaching the trade to boys in these busy workshops. To give such newspapers as might desire it the privilege of hiring apprentices the union in its new regulations allowed a ratio of one to every twenty men or a majority fraction thereof, not more than four to be permitted in any office, they to serve five years and to acquire knowledge of all branches of newspaper work in composing-rooms.

The new schedule was submitted to the local publishers' association, several informal conferences were held by the officials of both organizations, and on April 29th a formal detailed counter proposition for a continuation of the prevailing scale, hours, working conditions and regulations, excepting in several specified instances, was submitted by the employers. These were, that all work done between 6 o'clock P. M. and 6 o'clock A. M. (subject to the third-shift provision) shall be night work, and labor performed between 6 A. M. and 6 P. M. (subject to the third-shift provision) shall be day work; the rate for night work to be not less than $27 per week and for day work at least $24 weekly, eight continuous hours to constitute a working day or night. Men doing day work for evening newspapers publishing Sunday editions to receive $24 per week (exclusive of Saturday night) for eight hours continuous service daily, and on Saturday night $5 for eight consecutive hours. Overtime to be paid for at price-and-one-half per hour of night rates for night work and one-and-one-half of the day scale for extra work done in the daytime. The scale for third-shift men to remain at $30 per week, but their daily hours to be increased from seven to eight. Offices to have the privilege of using (without reproduction in type) plates, matrices or cuts furnished by general advertisers under contract.

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As an agreement could not be reached in the conciliation proceedings the publishers' national Commissioner and the International Typographical Union's president were so notified, and these officials on May 23d designated the disputed points that were subject to arbitration by local arbitrators. This board, which met on June 3d, consisted of Messrs. Don C. Seitz (as chairman) and S. S. Carvalho for the American Newspaper Publishers' Association, and President James J. Murphy and Secretary-Treasurer Charles M. Maxwell (as secretary) for Typographical Union No. 6. Mr. Marsden G. Scott represented the union and Mr. Ervin Wardman the publishers at the several hearings before the board.

The union's spokesman, in opening, stated that the demand for an increase in the newspaper scale of prices was based on three principal counts: (1) "that our members never have received their fair share of the profits derived from the enormous product of the typsetting machines;" (2) "that the demand is justified because of the greatly increased cost of living expenses, such as higher rentals, increased prices for all meats and provisions, and the greater cost of clothing, fuel, etc.;" (3) "that the demand for an increase is justified because of the fact that the newspaper scale of prices has remained at a standstill for more than fifteen years, while other wage earners in practically every other skilled trade have secured shorter hours and increased wages, because of increased production in some instances, but in most cases because of the universally recognized fact that the cost of living has greatly increased since the adoption of the existing scale of prices for newspaper compositors." As proof of his contention Mr. Scott introduced a mass of documentary evidence and presented a lengthy argument favorable to the union's side of the controversy. "All compositors should share in the product of the machine," he contended. "The fast man makes up for the slower one or for one who is handicapped by lack of opportunity. The fair method seems to us that all should benefit — not merely a few. That is our idea of the square deal. Four years ago the publishers told us that this increased product of the typesetting machines had been given to the public. We have no desire to influence or control the practical philanthropy of the owners of the newspapers of this city.

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But we do believe that a small portion of the increased product should go to those who are directly responsible for it, in order that they may have an incentive to further increase the product and thus enable the newspaper publishers to be still more generous to the public." Mr. Scott declared that before the introduction of machines a compositor could set on an average of 8,800 ems in eight hours, while under the improved method of composition he offered in evidence a string of "dupes" measuring 55,800 ems that recently had been produced by an operator in eight hours. Citing three large composing-rooms as an illustrative example he showed that in one 60 percent of the men wore glasses, in another out of a total of 62 compositors 30 were required to wear them, and in the third 70 in a total of 153 had to use them. In explanation of this condition of the eyes of machine operators the speaker said:

"Our members are compelled to use their eyes five and six times as much as under the hand system. The strain of reading five or six times as much copy as formerly under artificial light has brought the inevitable result, which represents a part of the price our members are paying to make these machines a financial success. We also contend that the introduction of these machines has been a source of loss to our members. Go into any newspaper composing room in New York and you will find mostly young men or men still in their prime operating the machines. The operator who has passed the age of 50 is so exceptional as to occasion wondering comment. There is a reason, as our members too well know, for this state of things. The introduction of machines shortened by fifteen or twenty years the working life of many of our members. Before they came white-haired veterans were familiar figures in the trade. At hand composition they could not set as much as in earlier years, but, working as they did by the piece, this fact did not mean a loss to the employers, and so they were permitted to retain their places. However, with the introduction of the machines and payment of the operators on a time basis, these veterans found themselves deprived of their source of livelihood. They were too old to learn to operate the machines, and so, wherever they could, they drifted out and into the book and job trade. But small was the number who made that harbor of refuge. Few, indeed, were able, even at the outset, to find and retain employment, and comparatively few are now tolerated even as substitutes. Common humanity demanded that our younger and more fortunate members should not allow these older men to starve in the street, and to meet this problem our union established an out-of-work fund and decreed that it should be maintained by a permanent assessment on the earnings of the members. Payment of benefits from this fund began on October 1, 1893, and have been continued to the present time, with the sure prospect that need for them will exist for years to come."

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He asserted that since the union began paying these out-of-work benefits it had disbursed $491,659.51 for the relief of its unemployed members. From federal and state statistical reports, as well as from newspaper articles, he quoted the advances that had been made in the prices of the necessaries of life, and submitted figures collected from a number of rent-payers to demonstrate the extent to which rentals had increased in recent years. He submitted a long list of other trades in the city that had obtained wage increases in fifteeen years, detailing the amounts of such advances, and called attention to the fact that book and job printers in the metropolis had had their rates raised three times during that period. Respecting the difference between the wage scale of newspaper printers and that paid to job compositors Mr. Scott explained that "the newspaper proprietor enjoys privileges not open to the job proprietor, and if we are to accept the contention of the publishers that the value of the services rendered is the only thing to be considered, then we feel justified in discriminating against the newspaper, especially in favor of the jobber. Any one with a few hundred dollars can start a job office, and the swarm of garret rookeries is the best evidence of that fact. A concern investigating a large capital must take into consideration the vastness of the mighty competition to which it is subjected. On the other hand, the huge amount of money required to engage in daily newspaper publication tends to limit possible competition." He also remarked that compositors in many other cities in the country had secured higher pay.

"We next take up the question of the increase in the various offices and how the number of men would be affected," continued Mr. Scott.

"In considering the amount of the increase demanded several factors must be taken into consideration. The publishers may speak of our demand as an increase of 33 1/3 per cent. No doubt they will characterize it as exorbitant, unprecedented, and perhaps ridiculous. Careful analysis will prove to the contrary. Statistics gathered from the various newspaper offices show that at the present time two-thirds of the employees of these composing rooms are receiving above the present scale. Referring to those members of the union receiving more than the scale, we quote from a letter written by the Right Rev. Bishop Frederick Burgess, chairman of the Board of Arbitration of 1903, as follows: 'This higher rate is presumably paid for more skilful and intelligent men. To raise the less skilful men up to this level would be an injustice

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to the more talented workman, unless his rate was also increased.' And we quote also from the decision of the Arbitration Board of 1903, as follows: 'The board also directs that no decrease shall be made in the wages now paid employees in composing rooms affected by this decision, where such employees are paid in excess of the scale.' Taking the night scale as the basis for drawing our conclusions, the increase for the man receiving $27 is 33 1/3 per cent; for the man receiving $30 it is 20 per cent; for the man receiving $33, it is less than 10 per cent. And why are these men receiving above the minimum scale? The chairman of the 1903 board expressed his opinion that they are more skilful. There is no sentiment in this particular point at all. It is a matter of dollars and cents to the publisher. He has learned that other employers are willing to pay more than the minimum scale to secure the services of extra competent workmen. While it is true that in practically every newspaper composing room men are receiving above the scale, it should not be imagined that the publishers exerted any superhuman effort to bring about this condition. On the contrary, most of them hesitated many months — some of them hesitated years — before taking this step, and some of them are still hesitating. To offer an increase on the minimum scale and ignore the fact that those receiving more than the scale also have been called upon to meet the increased cost of living, would be absurd. The publishers may argue that by raising the minimum scale the maximum rate will eventually adjust itself. If this is true, why delay? Why not do it now? The union has aimed to obtain an increase for all receiving less than $6 for night work. The publishers may argue that this is an exorbitant price, but we ask the members of this board to carefully consider the unusual hours which these men give to their employers. The night worker begins his labors, say at 7 P. M. He must leave his home, in most cases, two hours before that time. He works under glaring electric lights and in an atmosphere saturated with the smoke and fume from the metal pots of the typesetting machines, while the rest of the world is sleeping, as nature intended. These men are straining their eyesight, their brains and their muscles in an unhealthful atmosphere to set type for the morning newspapers. At 3 A. M., if there is no overtime, the night worker starts for home. He sleeps till noon or later, while the rest of the world seems determined to awaken him as often as possible. No statistics are necessary, no argument is necessary, to establish the unhealthfulness of this occupation. One evening in seven the night worker is permitted to spend with his family. His children are asleep when he reaches home in the morning; they are at school when he is at home in the afternoon. He lives a life practically apart from his fellow-men, except those with whom he is directly associated. His social life is restricted to this one night in seven."

The union's representative took up each counter-proposition submitted by the publishers and presented his reasons why the changes demanded should not be sanctioned by the board. In conclusion he discussed the ability of the employers to meet the advance asked for by the union, and quoted statements printed in a number of local newspapers detailing large increases in advertising

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patronage as well as in circulation. "These statements are direct and emphatic," said the speaker. "They tell the story of phenomenal gains in circulation and vast increases in receipts from advertising. These prove beyond question that these newspapers are prosperous — that they are constantly increasing their revenues and that the end of each year finds them more prosperous than at its beginning. All this, we contend, demonstrates the ability of these newspapers to meet this increase in our wage scale without in any way inflicting a hardship on their owners. From their own statements we have shown their prosperity. And those statements, made freely, repeatedly and voluntarily, must be accepted as true by this arbitration board unless they are controverted by equally direct testimony."

Mr. Wardman, for the publishers, began his argument with the declaration that "the publishers do not concede that the cost of living establishes the value of labor in the markets of the world. We do not believe that the members of the skilled trades are any more anxious to prove and enforce any such principle than we are, because they would shatter in that way the whole theory of the high wages that are paid to skilled labor. The fundamental and natural law that is inviolable, that establishes the value of a man's labor in the markets of the world, is the value of the services rendered. If it is not, then we have got to revise the whole scheme, and the man earning a dollar a day can claim that he is entitled to the same pay as the man who earns five dollars a day, because his cost of living goes up just the same as the other man's does. In fact, it goes up relatively much higher, because it consumes a vastly larger percentage of his income." To combat Mr. Scott's conclusions as to the extent of the increased cost of living Mr. Wardman drew attention to a table in Bulletin No. 65 of the United States Bureau of Labor, "which shows exactly how to find out what it costs a man to live under varying prices," he said.

"This table not only shows what it costs the normal family of good income to live in the United States, but it shows what it costs the family to live in the various geographical divisions, so that Mr. Scott might have found exactly what it costs the normal family to live here in these North Atlantic States. Now in 1890 it cost the normal family of about $832 income — $330.35 for his food. In 1905 it cost him $362. The lowest period of prices in this country was 1896. Prices were low then, because so many wage-earners in

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the United States were out of work that there was no buying power — no purchasing power, as we call it in the market, for anything that anybody had to sell. In 1896 and 1897 they were pretty much the same. It cost the normal family $313.23 a year to provide the food for its table. The comparisons between all these years are given, the differences figured out in this way: In 1905 it cost that family exactly $32 more to buy its food than it did in 1890. It cost it $29 more than it cost it to buy its food in 1891. It cost it $32 more to buy its food than in 1892, and $25 more than in 1893, $42 more than in 1894, $46.50 more than in 1895, $49 more than in 1896, $49 and a fraction more than in 1897. Now, I don't think anybody will maintain that the correct way to measure the difference in the cost of living is to take the very lowest period in this country's history and claim that that ought to be the standard, for God knows none of us want to go back to the conditions that made that standard. We did not hear so very much about the high cost of living in 1890 or 1891, or 1892, or 1893, when this scale went into effect. The average for those years was $332.61 to the family. The average for 1905 was $362. The difference was $29.39 in favor of that period. These figures of the government are based on an income of $834.83 a year. The actual increase percentage, increase of $362, the cost of the family living in 1905, and $332.61, the cost of living for the years 1890 to 1894 inclusive, is 9 percent. Mind you, that is 9 percent increase of its previous cost of living — not of its expenditures, much less of its income. Based on an income of $834.83, from which these tables are formed, that increase is only 3½ percent of the income. As a man's income runs up the percentage that he spends for his food, as compared with all his expenditures, runs down. Then, when you get to a man of an income of $700 or under $800 the percentage has declined to 41 plus. When you get to a man of an income of a thousand dollars or under eleven hundred, the percentage has declined to 38.79. When you get to a man of an income of twelve hundred dollars, the percentage has declined to 36.45. And, as I have reminded you before, this percentage of 36.45 is not a percentage of his income in the tables mentioned by Mr. Scott, but of his expenditures. We have shown that the actual increase in the cost of food that a family consumes was 9 percent over the average for four years from 1890 to 1893. This equals less than 3 percent of the income. Now, on page 188 of the same government report, food is to rent, fuel and light as 42.5 is to 18.25; or in other words, food costs two and one-half times more than rent, fuel and light. Therefore, if the increased cost of the family's food is $42.30 a year, the rent, fuel and light would be about $17 a year, or the total of the two, $60 a year, or between 4¼ or 4 1/3 percent of the income."

Referring to some of the trades that had been mentioned as having advanced their wage rates, Mr. Wardman said that

"you will find that the most of these men who are getting a scale of $4.50 a day or $4 a day, or in the case of bricklayers, $5.60 a day, are not earning and are not receiving as much per week, per month and per year as compositors, who receive only $4.50 a day on the scale. You will notice that these higher day scales seem to apply to men whose regularity of work seems to be put in hazard by the weather — that is, those who are affected by not only

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the snow in winter and the rain in summer, which drives them off from work, but by even frost, in the case of stone masons, where builders do not consider it safe to set the masonry in the frost. Those wages will figure out as the weekly earnings — the weekly income of these men who appear to get a very high scale at something that is considerably lower than any for which our men would care to work, care to receive in a week or be in the habit of receiving. When you are comparing trades the best thing in the world you can do is to compare a printer with a printer, just as you would compare a blacksmith with a blacksmith, and when you strike the comparison of the job offices — and I speak now of the scale of the newspapers — the discrepancy already existing in favor of the job offices is simply enormous and works injury to the newspapers, and I believe to the compositors employed on the newspapers because it makes it so difficult for us to do business. And now the compositors propose further to increase that discrepancy."

He then considered seriatim the various sections of the union's projected scale and the publishers' counter proposition. "On the proposed increase on the part of the union to $6 a day, and that men employed in the daytime shall receive that same rate," he said, "I do not think that it is necessary to add anything to what I have said to our argument that it is the desire of the publishers to have the compositors meet us in wiping out this illogical, absolutely indefensible, from the point of view of logic, provision by which a man is paid an extra compensation for doing work in the night time, because it is more difficult to work at night or less pleasurable to work at night, but that if the same man shifts in the same office where he works in the daytime, that he gets the same excess compensation. It seems to me that the thing is perfectly obvious as an injustice, and there is not anything that anybody can add to it to make it stronger. The publishers are very insistent that full and due deliberation shall be given to the question of thirty minutes for lunch. We are convinced that this does not work out on the whole to the interest of the newspapers. So far as we know we are the only business in the skilled trades that pay wages when men are not at work. If an employer is entitled to anything in the world he is entitled to the hours that he pays for, just as he is entitled to the property that he pays for when he buys a house. We want to wipe out that provision of paying men for thirty minutes for lunch. We want to have the wage represent, as it does in all other trades, except the newspaper business, the rate per hour for the time worked. Everything that we have said applies with equal force in so far as the conditions relate merely to afternoon and evening scales and the lunch hours and the handling of morning matter in the daytime. The latter part of that provision, 'when called to work at or before 5 A. M., $2 extra shall be charged in addition to the overtime, and when called to work at or before 7 A. M., $1 extra shall be charged in addition to the overtime,' is a matter that I do not think calls for any debate before the board. I will let that come up without any remarks to bother the record or anybody. I think the board won't require any."

As to section 19 of the union scale, that "on all matter set in daily newspapers proof shall be read and copy held by a member

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of the union," Mr. Wardman announced that, although the publishers' national commissioner and the president of the international union had decided that the paragraph was not arbitrable, "the newspapers take exception to their ruling. They think it ought to be arbitrable, but since it has been decided that it is not, we cannot really argue the provision under the requirements of our code. I do desire, however, on behalf of some of the members of the association, to protest against the change regarding copy reading which compels a newspaper apparently to proof-read all copy under any and all circumstances. I ought to say in all fairness that, while this protest is made on behalf of a principle, we have no doubt that the union will not prevent railroading of matter under an extreme emergency." He declared that the publishers regarded as one of the worst provisions of the scale the minimum of competency. "There is absolutely no reason for it," he said, "if the contention of the other side is sound, that the men can do and do do on the regular scale vastly in excess of this minimum. If the minimum is put in there to protect the men from persecution, as has been stated here, the way to protect them is for the board to draw a provision that will not allow them to be discriminated against in the kind of matter that would be set to determine the competency." Mr. Wardman concluded his argument with these words:

"We have shown you that the increase of the cost of production has gone up enormously for the newspapers. Mr. Scott has tried to show how we are better able now to pay these unreasonable exactions, and to meet these economic extortions than we were before. We have shown you that there is a loss in the circulation that he presented as an evidence of increased net income. We have shown you that the enormous volume of increase in the volume of advertising does not represent profit. We submit to you, that the thing for this board to do is to sit down and put their heads together and try to work out some kind of a scheme by which we can all benefit. What is the use of hanging onto a relic of barbarism? They tried this thing in England, of tying up capital so it would not work. They did not create any more work for the men — they created less. They exterminated their own capital and they exterminated their own labor, and you have got Germany to-day selling haberdashery in every shop in England, and the Englishman can not make it any more. They tried that thing in England, and because it destroyed wealth, because it went right to the fundamental roots of the economic problem, in England, the streets of London to-day are crowded with people rioting because they can not get work. They can not get work because they have been busy destroying the wealth that was employed at one time

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in industry. You can keep on trying it here until doomsday and you can not work it out. The only way you can work it out is to increase the wealth; you can not work it out any other way. It is an economic law. It is a natural law. It is a fundamental law. It is the law of God. It is inviolable, and no labor union, no newspaper, no high financier, nobody on the face of this earth can work out that natural law of the production of wealth, and when you destroy it, as you men are destroying it you are chopping out your own hearthstones."

The hearings before the board lasted until June 14th, having consumed five days' time, and on June 17th the arbitrators held their first executive session, but after several days' discussion their efforts to effect a settlement proved futile. The national officials were thereupon apprised of the disagreement and on July 16th a meeting of the National Arbitration Board, consisting of Messrs. Herman Ridder of New York, H. N. Kellogg of Chicago, and Bruce Haldeman of Louisville, for the American Newspaper Publishers' Association, and James M. Lynch, Hugo Miller and J. W. Bramwood, for the International Typographical Union, was held at Indianapolis, Ind., to consider the New York City scale contention. After sessions extending over three days the board reached a decision on all but two points in dispute. By the terms of this decision the minimum scale for newspaper employees under the jurisdiction of Typographical Union No. 6 was increased 66⅔ cents per day, making a rate of $4.66⅔ for day work and $5.16⅔ for night work. The arbitrators decided that "men employed at day work for morning newspapers shall receive day rates, subject to third-shift provision. Men employed at night work for evening newspapers shall receive night rates, subject to third-shift provision." The scale for the third shift was fixed at $5.66⅔, but the daily hours for this shift were increased from seven to eight. The eight-hour day in each instance includes thirty minutes for luncheon. Members of the union employed on evening newspapers publishing Sunday editions were advanced to $4.83⅓ per day, and $5.66⅔ of seven continuous hours, including thirty minutes for luncheon, on Saturday night. No changes were made in the rates of machine tenders. The minimum of competency of machine operators was fixed at 24,000 ems per day of eight hours. The regulations pertaining to the employment of apprentices were approved.

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The two disputed points mentioned above were referred by the national board to Messrs. Herman Ridder, Ervin Wardman and James J. Murphy for adjudication. The first of these sections provided that "when men called to work at or before 5 A. M. $2 extra shall be charged in addition to the overtime, and when called to work at or before 7 A. M. $1 extra shall be charged in addition to the overtime." This special board has decided that $2 extra in addition to overtime shall be paid paid to compositors who are called to work at or prior to 6.30 A. M., .nd after that time until 7 A. M. $1 extra with overtime pay. On the other disputed paragraph (section 19), which reads that "on all matter set in daily newspapers proofs shall be read and copy held by a member of the union," the special committeemen were unable to agree, and it was recommitted to the national board, which will endeavor to reconstruct it on September 9th.

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BUREAU OF FACTORY INSPECTION.

Tables II and IV of the Appendix summarize, numerically the work of the factory inspectors in the second quarter of the year, while Table III shows the number of children's employment certificates issued in cities of the first and second classes. In connection with these statistics the following reprints of circulars issued by the factory inspector this summer will be of use to persons interested.

Letter Addressed to Superintendents of Schools in Certain Cities.

STATE OF NEW YORK — DEPARTMENT OF LABOR,
BUREAU OF FACTORY INSPECTION,
ALBANY, *June* 12, 1907.

DEAR SIR: Last summer this Department was much embarrassed in enforcing the child labor laws in factories, owing to the fact that a large number of children employed without the certificates required by law were under the impression that employment certificates were not necessary during vacation. In some cases it being found that the children had letters from their school principals or teachers advising employers that they could employ such children during the summer without the children securing working papers. When we came to discharge these children, we found that a very large proportion would have been entitled to employment certificates had they procured the school records to which they were entitled, and they declared with considerable unanimity that they were informed by their teachers that it was not necessary to have such records in order to be employed during the summer. Of course this is all wrong. No child under sixteen years of age may be employed in a factory at any time, during vacations or otherwise, unless it has an employment certificate in conformity with section 71 of the Labor Law, and no employment certificate can be obtained unless the child has a school record as required by section 73 of the Labor Laws.

Therefore, could you not in some way have all the principals and teachers in the schools of your city instructed to advise the children that they can not work during the summer without employment certificates, and that to secure such certificates they must, before the schools break up, procure their school records. By so doing, you will greatly assist this department and prevent a great deal of injustice during the summer months. It would also be well if there could be some way devised by which children who neglect to secure their school records during the school year, could nevertheless obtain them during vacation if the need for them should subsequently arise.

Yours very truly,

JOHN WILLIAMS,
First Deputy Commissioner.

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Instructions to Employers of Children.

Children Under 14.

They must not be employed under any circumstances either in or in connection with a factory, nor allowed to remain in a factory.

Children Under 16 (and Over 14).

They can be employed only if they have New York Board of Health employment certificates.

Certificates of other states or school certificates are not sufficient.

The certificates must be kept on file by the employer at the factory, together with a register or list of such children.

This requirement applies equally to children employed in factory offices or otherwise in any way in connection with a factory.

It also applies during vacations. The certificate is always necessary.

Such children must never be employed:

(1) Over nine hours a day. (2) Before 6 A. M. or after 7 P. M. (3) In running elevators, around dangerous machinery or in polishing or buffing. After October 1, 1907, they must not be employed over eight hours a day or before 8 A. M. or after 5 P. M.

The daily hours of labor of such children must always be posted in the workroom.

Children of Doubtful Age (About 16).

Where it is at all doubtful whether a child be sixteen or not the employer should investigate; for ignorance of a child's age is no excuse for a violation of the law.

He should not accept either a child's statement or its parent's affidavit of its age.

In all doubtful cases a child claiming to be over sixteen should be required to obtain and file with the employer either (1) a birth certificate, (2) a baptismal certificate, (3) a passport, or (4) an old Board of Health employment certificate. That paper should be inspected to see that it belongs to the child and is not bogus nor altered. If no such paper can be produced, New York city employers should promptly notify our New York office and we will either advise further or investigate ourselves; employers elsewhere should notify our Albany office, and we will give them such advice and assistance as may be possible.

Minors Over 16 and Women.

There are also provisions of law limiting and regulating the hours of labor of males between sixteen and eighteen years of age and of females sixteen years of age and upwards: Labor Law, sections 77 and 78. Note recent amendments to those sections to take effect October 1, 1907. After that date a determined effort will be made to enforce their provisions more thoroughly and literally than heretofore.

JOHN WILLIAMS,
Factory Inspector.

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Hours of Labor of Women and Male Minors in Factories.

The provisions of Sections 77 and 78 of the Labor Law limiting their hours of labor will be modified by chapter 507, laws of 1907, to take effect October 1st, and by the decision of the Court of Appeals in People v. Williams, June 14, 1907. Therefore this explanatory leaflet is issued.

Male minors, i. e. males over sixteen and under eighteen, must not be employed or permitted to work between midnight and 4 A. M.; nor more than six days or 60 hours a week; nor more than ten hours a day except as stated below.

Female minors, i. e. females over sixteen and under 21, must not be employed or permitted to work between 9 P. M. and 6 A. M.; nor more than six days or 60 hours a week; nor more than ten hours a day except as stated below.

Women, i. e. females over 21, must not be employed or permitted to work more than six days or 60 hours a week; nor more than ten hours a day except as stated below. (The provision of section 77 that forbids adult females working before 6 A. M. or after 9 P. M. is unconstitutional and void according to the rule laid down by the Court of Appeals in People v. Williams, above referred to.)

Exceptions. Provided that the provisions of section 77 are otherwise complied with, male minors and all females over sixteen may work more than ten hours a day; (a) regularly in not more than five days a week in order to make a short day or a holiday of any of the six working days; (b) irregularly in not to exceed three days a week; but never more than twelve hours a day or 60 hours a week. (Section 78.)

Schedule. A weekly schedule, showing the hours of work of all such persons on each day of the week, must be kept posted in their workrooms, and must not be changed during the week except with the consent of the Commissioner of Labor; and they must not work beyond the hours stated in such schedule. Where it is impossible to fix such hours in advance application should be made to the Commissioner of Labor for a special permit to dispense with such schedule.

Double Employment. A female or a male minor must not be employed in two or more establishments for longer hours than are permitted in one. Whoever employs any such person in a night shift, i. e. after 7 P. M. and before 6 A. M., must use extra care to see that this provision is not violated, for in case of a violation in fact, the employer is then liable, with or without knowledge.

Note. There are separate regulations in section 77 in regard to children under sixteen.

July 1, 1907. JOHN WILLIAMS, *Factory Inspector.*

Suggestions to Deputy Factory Inspectors on Guarding Machinery.

The practical value of the classification of our accident reports (Table V of the Appendix) lies in the fact that it enables us to determine approximately what class or group of machinery, commonly in use, is the most dangerous, and, therefore, in need of

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most careful and thorough inspection, in order, so far as possible, to eliminate the causes of accidents by requiring proper safeguards.

Our BULLETIN affords not only a simple and easy means of conveying ideas to the present members of our force, but, as well, of preserving for future use anything of value which appears therein. It is our intention henceforward to utilize its pages for such purposes. To the end that this new department in our quarterly publication be the more interesting, descriptions of practical home-made safety devices, submitted by our deputy factory inspectors, will be given a place, provided they are deemed of sufficient importance and merit.

We believe it to be the better way to devote our attention to this subject by industries, so as to insure a sufficient degree of coherence to justify the labor which we contemplate spending on this work. No doubt we shall occasionally digress, but in the main the above plan will be adhered to.

Let this be clearly understood at the outset. We assume and we have a right to assume, that every member of our force is sufficiently interested in his work to examine and study our accident statistics; if there be one who is not, then he should forthwith cultivate the habit, for without such study he can not be up-to-date.

TEXTILE MACHINERY.

The machinery used in the modern textile factory is usually well protected, the machine when placed on the market being provided with gear covers, countersunk set screws and other devices whereby the danger of accidents and injury to the operatives is materially reduced. But, old-type machinery without such protection is sometimes in use, and in respect to which the inspector must be on the alert to note defects and insist on the proper remedy.

In cotton weaving and knitting mills the material passes through a variety of machines, some of which are relatively harmless. But it is the work of the Bureau of Factory Inspection to see that every machine in use therein is rendered safe to operate. High-power machinery running at a high rate of speed can not be made absolutely safe without destroying its utility, and manufacturers will invariably and properly object to the installation of devices that

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unnecessarily interfere with the productivity of their machines unless it be obvious that such a course would be fully justified on humanitarian grounds.

It is, therefore, the duty of each inspector to advise and show how safety devices can be applied with the least expense and without interfering with the manipulation of machinery. Every order given should be carefully thought out and must be practical and reasonable.

The first machines which come under our notice in this group are the "openers." The cotton is taken out of the bale and passed through these machines. They are comparatively free from danger, provided that gears, pulleys and belting are sufficiently guarded.

Then follow the pickers, spreaders and finishers — through each of which the fiber has to pass. The principal danger-points are the gears, pulleys and belts. If they be properly guarded there remains nothing to be done to insure the safety of the operative. It is, of course, true that injuries are sustained in spite of safety devices. An operative, who undertakes to clean a picker while in motion stands a good chance of meeting with a painful and probably serious accident. It would be almost impossible to prevent accidents of that class, unless a practical locking device be used which can not be opened without first stopping the machine. The foregoing applies also to the carding machines, drawing frames, speeders and finishers. The chief danger lies in exposed gears, unprotected pulleys and belts, and, in overcrowding of machinery. By the latter is meant the placing of too many machines in a given space, thereby reducing to the point of danger the passageways between them. An undue curtailment of space interferes with the proper manipulation of certain parts of the mechanism of these machines, and any such interference adds to the risk and probability of accident. Hence, in a factory where space seems to be of more value than safety, it is the inspectors duty to see that every machine is made so safe that an accident thereon is well nigh impossible.

Spinning machines cause quite a few accidents, many of which are due to the lack of care on the part of the operative. It is difficult really to determine how large a percentage of all accidents

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are preventable. It has occurred to the writer that the mule spinner possessed certain elements of danger that are not apparent in the ring spinning machine. The twisting frame of the mule spinner travels outwardly and in many mills the machines have been so located that the frame travels up to within a few inches of the posts sustaining the upper portions of the building. This constitutes a danger that is ever present and the attention of superintendents should be called to the need of readjusting the machines so as to provide sufficient space between the frame and such posts or pillars. The mechanism of the mule spinner is located in the center of the machine and consists of gears, pulleys and rope or band wheels. These should be carefully examined, and, if necessary, orders to guard same should be issued and compliance insisted upon.

The warping machines, looms and knitters have certain mechanical parts that need careful inspection. The smaller parts of these mechanisms are liable to be overlooked on the theory that accidents at such points are improbable. This idea is wrong. A small gear, if exposed, is most dangerous and liable to cause a very painful and serious injury. Shuttles occasionally fly out of the looms. It is difficult to prevent such occurrences, but an attempt has been made to minimize the danger by attaching to the frame of the loom a steel bar placed just above the space traversed by the shuttle. If the shuttle were to take an upward course this bar would deflect it, but whether it is a preventive against accidents is wholly problematical. Therefore, we urge careful observation of this point and the exercise of mature judgment before undertaking to require any changes on these machines.

Belt shifters.— We must insist on their installation wherever practicable. Mill superintendents invariably say that a shifter is neither practical nor necessary on a carding machine. We do not concur in this view. The practice of shifting belts by hand is dangerous even though they travel comparatively slowly. A shifter can be attached to the frame of the machines, between the loose pulley shaft and the upper pulley. This will insure the safety of the card-tender so far as belt shifting is concerned. It will be noticed that when such a device tends to reduce the time

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spent in controlling or regulating machines, belt shifters are provided, because it is profitable to do so. It is our opinion that a shifter on carding machines will prove a profitable investment too.

We shall probably have more to say on this group at a later date. Meanwhile, it is hoped that each inspector will be on the alert for new ideas which can be communicated to the other members of our force through this department. JOHN WILLIAMS.

Buffalo Children Employed in the Manufacture of Paper Boxes at Home.

A few months ago information was received by the Department of Labor that an establishment in Buffalo, engaged in the manufacture of paper boxes, had adopted a practice of sending work out of the factory to be done in the homes of the workers. The matter was referred to the district inspector for investigation. It was found that material and machinery — consisting of reels for holding strips of binding paper and shaping blocks — were furnished and installed in the homes, and the workers equipped essentially as is the working force in the factory proper. Deliveries of material and collections of the finished product are made weekly. At the beginning of this new departure, employees of the establishment had material and machinery sent to their homes and other members of the families became interested and were instructed in the method of making paper boxes. The results were not entirely satisfactory, as the quantity produced was limited and only a few of the regular employees could be induced to engage in such overtime work. Large and commodious offices and workrooms were then opened in the central portion of the city, under a name disassociated from that of the parent concern. Advertising for "Home Workers" was resorted to, experienced hands were put in as demonstrators and the field of operations extended to such an extent that no section of the city was unrepresented in the list of home workers. Prospective workers were taught at the rate of about three hundred per month. At first applicants of all ages were given instruction in the work, including school children, many of whom were under age. On the first visit of the inspector to the central office the provisions of the law were made plain to the management and after that only those over the legal working age were taught by the demonstrators; but they in turn

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imparted their knowledge to other members of their families. It is now not an unfamiliar sight to find an entire family circle engaged in this work after supper and up to bedtime.

In accordance with section 101 of the Labor Law a list of 543 names and addresses was furnished by the employer to the Department, of which three hundred and seventy-six were investigated. Owing to the many pressing demands of the service upon the time of the inspector, in other directions, the investigation had to be dropped before it was completed.

The following table shows the result of that investigation:

AGE AND SEX.		Total.	In dwelling houses not tenements.*	In tenements.	Work after 9 P. M.	Work regularly (continuously).	Work only after school or day work	Had stopped working when inspected.
Adults (over 16)	Males.	62	57	5	3	1	46	15
	Females.	475	416	59	10	26	329	120
Children 14–16.	Males.	31	29	2	5	.....	19	12
	Females.	60	56	4	3	.....	39	21
	Sex not given.	2	2	.....	.....	.....	.....	2
Children 10–13.	Males.	46	42	4	1	.....	34	12
	Females.	54	54	.....	4	1	36	17
	Sex not given.	3	3	.....	.....	.....	2	1
Children 7–9.	Males.	8	7	1	.....	.....	5	3
	Females.	10	9	1	3	.....	8	2
	Sex not given.	1	.....	1	.....	.....	1	.....
Children under 7.	Sex not given.	2	2	.....	1	.....	2	.....
Totals....	.....	754	677	77	30	28	521	205

Total addresses tabulated	340
Total addresses "moved"—(not tabulated)	34
Total addresses not found—(not tabulated)	2
Number cases contagious disease in workroom	1
Number unclean tenements	1
Number unclean workrooms in dwellings not tenements	2
Number of children 14–16 with employment certificates:	
Males	6
Females	6

The following facts shown by this table deserve consideration: The small proportion of males engaged in this work, and the increase in that proportion in the younger ages; the small proportion

* One factory building included.

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of the workers who reside in tenement houses; the large proportion of those who dropped the work soon after undertaking it; and the large proportion who engaged in it only as a supplemental occupation or after school. It should be explained in this connection that there is no law specifically forbidding home work by children after school. One conclusion indicated by this table is that the tenement labor law (Labor Law, Article VII), which by regulating labor conditions in tenements, aims to safeguard the sanitary conditions surrounding home work, while it adequately fulfils that purpose in New York City, leaves the greater proportion of home work in Buffalo and like cities, where it is in dwelling houses, entirely unregulated. But on the other hand, it should be added that the investigation does not indicate any pressing need for such sanitary regulation. It might perhaps be inferred from the fact, that although the investigation was made promptly yet 205 workers out of 754 had already abandoned the occupation, that this plan of sending out work into the homes was proving a failure; but it seems equally probable that it merely shows how quickly changing is the personnel of such classes of operatives.

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FACTORY LAWS AND THE COURTS.

The frequent recurrence of decisions adverse to the constitutionality of labor laws has aroused in certain quarters criticism of and antagonism towards the courts and some despair of properly protecting labor under our constitutions. And the way in which one decision, which held in part unconstitutional a law limiting hours of labor on public works, was avoided by amending the state constitution has established a precedent, that causes a growing element in the community to look to a frequent repetition of that process as the only remedy for many evils

The constitutional provision with which attempted legislative regulations relative to labor in factories have most frequently come in conflict, is that clause, contained in both the constitutions of the United States and of the State of New York, which provides that no person shall be deprived of life, liberty or property without due process of law. Liberty, which is the term with which we are particularly concerned, is defined as the right to be free in the exercise of one's faculties, subject only to such restraints as are necessary for the common welfare. Due process of law, as applied to legislation, is defined to mean that all enactments must be in conformity with the settled maxims of our system of government, of which those concerning and defining liberty are the most fundamental. According to them for a statutory regulation in restraint of individual liberty to be due process of law and constitutional, it must be reasonably necessary for either the public health, the public safety, the public morals or the common welfare. As it is the purpose of written constitutions both to limit the powers of legislatures and to protect individuals against the changing opinions of temporary majorities, it follows that it is proper and necessary for the courts, in passing upon the constitutionalty of any and every act in restraint of liberty, neither to be governed by any declaration of a legislature as to its purpose, nor to be swayed by popular passions or desires, but for themselves to inquire into all the facts and circumstances and by the test of constitutional principles alone

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to decide whether or not it be due process of law; and if not, to hold it to be in violation of the constitution — which is the supreme law — and therefore void. In deciding this question the courts uniformly act upon a presumption that an act of the Legislature is valid unless its unconstitutionality clearly appear; but it need not be apparent from the title or expressed purpose of the act, but may be looked for in any of its terms and provisions. They also recognize that the particular regulation to be adopted rests in the discretion of the Legislature; but on the other hand they hold — and logically must hold if the constitutional provision is to be of any effect — that it must be at least reasonable for its purpose, must not arbitrarily discriminate between different classes or persons, and must not be arbitrarily or unreasonably extended to persons or acts not affected by the necessity for regulation, nor otherwise made disproportionate to the necessity.

The principal difficulty in applying these principles to regulations purporting to be for the public health — in which class fall a large proportion of factory laws and to which branch of the subject space requires that this discussion shall be confined — lies in determining whether or not a proposed regulation be in fact reasonably necessary for that purpose. In determining this question the courts take judicial notice of the common belief of the people, of generally admitted facts, and of the prevailing doctrines of science, and have uniformly sustained properly framed health regulations supported by any of them; but, with some doubtful exceptions, they have disapproved of regulations supported only by individual opinions (although numerous and loudly voiced), or based upon scientific hypotheses or social or economic theories. Between these two extremes, however, there necessarily lies a zone of uncertainty where it is hard to apply these principles and which is therefore marked by conflicting decisions.

The propositions which the writer desires to advance for the consideration of readers of the Bulletin are, that adverse criticisms of the courts on account of their decisions on labor legislation are generally unmerited, that such decisions (of the United States and New York courts at least) have not shown any lack of sym-

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pathy with the general objects of labor legislation and have not prevented but rather have aided and guided in the construction of proper labor regulations, that the statutes that have been set aside have been defective, in the majority of instances, because framed in ignorance of or with heedless disregard for constitutional principles and therefore that the single fact of their unconstitutionality is no evidence that their legitimate objects can not be accomplished by statutes drawn in conformity with constitutional requirements, and — in general — that the constitution does not stand in the way of necessary factory regulations. It is true that there are many possible regulations conducive (but not necessary) to the public health and welfare, which are not permissible under a free form of government, and for that reason we can not copy literally some beneficial factory regulations of other countries. But their objects may be in greater part attained in other ways; and the balance is so small as to be a trifling price to pay for our constitutional guaranty of liberty. Therefore a patient trial of clearly constitutional regulations should in fairness and common sense precede any attempt to stretch or any agitation to amend the constitution or any reasonable discontent with its restrictions upon legislative powers.

As illustrations of how far regulations in restraint of liberty for the protection of labor have been sustained, it may be cited that the New York courts have held that minors under 21 years of age are wards of the state and subject to regulation in the discretion of the Legislature without limitation by the liberty clause of the constitution, that laws forbidding unnecessary Sunday work are valid and that the hours of labor of all classes of employees in distinctly unhealthy occupations and in occupations where the safety of the public is involved may be limited, and have enforced without question laws that require cleanliness, sanitary conditions, reasonable conveniences for comfort and safeguards against danger in work places, etc.; and that the lower courts — the question never having been carried up to the higher courts — have sustained the law limiting the number of hours that women may labor in factories.

In the following discussion of four leading cases, in which New York factory laws have been held unconstitutional, it will

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be attempted to point out their defects and to explain how the consequences of their nullification are little to be deplored from the practical standpoint of factory inspection.

In 1884 an act was passed prohibiting the manufacture of cigars or tobacco on any floor of a tenement-house, used for living purposes, in cities with over 500,000 inhabitants. The title of that act declared that it was "to improve the public health." But the court looked beyond the title and held that the regulations imposed by the terms of the act were not for the public health. (*In re* Jacobs, 98 N. Y. 98.) This decision has been much criticised, because seriously bad sanitary conditions then prevailed in tenement-house shops and their total prohibition would have benefited the public health. Yet the decision was both correct and beneficial. For the clear purpose of the act was not to protect health, but to stop home industries in competition with factory work in the tobacco trade, without regard to sanitary conditions; and if the principle of that act had been sustained, the next step might have been to prohibit arbitrarily the manufacture of tobacco in all cities with over 500,000 inhabitants. And this decision has not prevented proper sanitary regulation of the manufacture of tobacco or of anything else in tenement-houses; for there are now in full force and effect laws prohibiting the manufacture of certain specified articles liable to communicate disease (among which tobacco is included) in all unsanitary or overcrowded tenements. The distinction between these regulations and those held invalid in the Jacobs case, is that the former are reasonable and bona fide health laws while the latter were not.

The second case (People *v.* Beattie, 96 App. Div. 383) held unconstitutional so much of the Penal Code as made it a misdemeanor to violate the provisions of Article XII (later Article XIII) of the Labor Law (repealed by chapter 83 of the laws of 1907), which provided for the examination and licensing of horseshoers. The court held unanimously that all laws which impair or trammel the right of the individual to live and work where he will, to earn his livelihood in any lawful calling, and to pursue any lawful trade or occupation are infringements upon the fundamental rights of liberty, which can be sustained under the con-

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stitution only by reasons of public necessity; that the regulation of shoeing horses can not be so sustained because it has no tendency to promote the health, comfort or welfare of society; and that, while laws prohibiting cruelty to animals are constitutional, no such ill-results have flown from unrestrained freedom to pursue the old and common avocation of horseshoeing as to require any special regulation of it in order to prevent such cruelty. In this case, as in all the others cited in this paper, the court limited its inquiry into the purposes of the act to the single question whether or not it had a constitutional purpose. Had it gone further and sought out the true purpose, it would have been difficult to avoid the conclusion that it was to build up something in the nature of a monopoly in the horseshoeing trade. And had the validity of that act been sustained, the logical consequence of the decision would be that the Legislature can at pleasure limit the right to practice any and all trades or occupations in the discretion of examining boards to be composed of members of such trades and occupations respectively.

In the next case (Lochner *v.* People of New York, 198 U. S. 45), the United States Supreme Court declared that section 110 of the Labor Law of New York, limiting the hours of employees in bakeries to ten a day, to be unconstitutional. That section purported to be a "health law," required by the unhealthiness of baking as an occupation. But the court held as a matter of fact — four justices out of nine dissenting — that baking is not of itself an unhealthy occupation and therefore that a special regulation of hours in that occupation was purely arbitrary and could not be sustained. But according to the observations of the factory inspectors, baking in this state is an extremely unhealthy occupation. This, however, is apparently not an essential attribute, but is due to the large proportion of unclean, ill-drained and ill-ventilated bakeries, particularly in cellars, which have come into existence while there were no effective laws to remedy or prevent. This defect has now been remedied and those unsanitary conditions are in process of correction. If the check thus placed by the court upon legislation of doubtful wisdom and necessity has helped to divert the attention and efforts of reformers to the comparatively neglected field of purely sanitary factory regulation, its results

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must be deemed altogether beneficial. And, legal technicalities aside, it seems only reasonable that ordinary and direct sanitary measures should be exhausted before restraints upon personal liberty can be claimed to be necessary for hygienic reasons.

The last and most doubtful case is that of The People *v.* Williams, decided by the New York Court of Appeals June 14, 1907, in which it was held that so much of section 77 of the Labor Law as prohibits the employment of women in factories at night (after 9 P. M. or before 6 A. M.) is unconstitutional. It was endeavored to sustain the necessity for this regulation upon moral grounds, it being argued that it would prevent women from being turned out of factories onto the streets at all hours of the night. But it could not be justified on that ground, because an absolute prohibition of night work under all or any conditions is not at all necessary for such purpose, and because in applying this prohibition solely to factories, the law — without any shadow of reason — discriminated against them in favor of many other forms of employment which cause women in large numbers to go on the streets at night. It was also defended as a proper remedial provision to aid in the enforcement of other provisions of law limiting the number of hours per day that women may be employed; but it is obviously not appropriate nor adapted to that purpose. The one forcible argument for sustaining this act was that it is injurious to the public health for women to turn night into day, by laboring at night. But the court unanimously and rather curtly rejected this proposition; and its conclusion is borne out by the experience of the factory inspectors. For the latter see quite a number of women who work in factories at night — not many in proportion to the total of female factory employees, but yet enough for observation — and they have observed nothing to indicate that these women or any of them are thereby injuring their health or in any way endangering the public health. In this respect night work differs from excessive "overtime." And one purpose of this law, or, more correctly, one motive of some of its advocates was to keep women out of certain skilled and highly paid occupations which require night work. But the question does not seem to the writer to be quite one-sided as the opinion of the court would indicate; for practically every nation of Europe has

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found it expedient for reasons of health to forbid night work by women in mills.

There are those who feel that this decision will leave the way open and lead to the employment of night gangs of women in large mills, and that there will then ensue with us the same evils that have brought about the European prohibitions. To them it should be answered in the first place that the court limited its ruling to a provision prohibiting night work by *adult* women, and admitted the right of the Legislature in its discretion to prohibit such employment of minors. Anticipating this decision, section 77 of the Labor Law has been amended to contain a distinctly separable provision prohibiting night work by female minors; and while that prohibition can never be completely enforced, owing to the difficulty of ascertaining and proving age, it can undoubtedly be so far enforced as effectively to prevent the employment of any material proportion of women under 21 by night. In the mills in which night shifts are anticipated, the proportion of minors is large,— and not accidentally so, but because their cheap labor is economical in certain operations. Therefore, although it will now be legal to employ night shifts of adult women, it does not follow that many factories can be run economically at night by shifts in which the women are of that class only. In the second place, if the regular employment of large night gangs of women in mills does become an established practice, and it be demonstrated that the health of the women thus employed is thereby generally injured, it would seem to the writer that the prohibition although now not necessary for the public health would then become so, and that the courts would then not logically be bound by the decision in the Williams case, based as it is upon different conditions and a different assumption of facts. And any particular conditions under which night work is carried on and which can be shown generally to injure or endanger the public welfare, or the health, morals or safety of the women employed may be directly regulated or prohibited, without in any way offending against this decision.

The public press have widely cited this decision as authority against the constitutionality of those other provisions of section 77 of the Labor Law which limit the number of hours that adult women may be employed in factories per day and per week, prob-

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ably in view of that part of the opinion where the court says: "Under our laws men and women now stand alike in their constitutional rights, and there is no warrant for making any discrimination between them with respect to the liberty of person or of contract." This is an unwarranted deduction, for the court expressly limited the application of its opinion to the particular provision before it, which it said discriminated *arbitrarily* against women. No such fault can be found with the provision fixing a maximum number of hours that women may work. That their endurance is less than that of men is generally admitted; and that where they are excessively employed in violation or evasion of the limitations prescribed by the present law they uniformly suffer in health to such an extent as to constitute a public menace, is a fact apparent to the factory inspectors, well known to medical science and probably capable of statistical demonstration. Moreover the lower court has already distinguished this provision from that prohibiting night work; and its constitutionality is supported by many decisions which could not be cited in favor of the other.

But this decision (People *v.* Williams, *supra*) does hold out a distinct warning against pushing statutory restrictions upon hours of labor beyond the requirements of necessity. Hitherto in passing upon such regulations the courts have gone far in relying upon legislative judgment. The decisions in the Lochner and Williams cases indicate a reaction from that tendency, and it now appears probable that in the future the courts will hold themselves more strictly bound to determine for themselves whether there be any substantial justification for each proposed regulation. And in commenting on the Williams case the *New York Law Journal* (editorial June 24, 1907) expressed a suspicion — which may be shared by the courts — that many regulations relative to women are based upon sentiment much more than upon scientific conviction of sanitary or hygienic ends. To meet these lines of antagonism and to stand strict tests of constitutionality, regulations must be confined to such as can be demonstrated or will be generally admitted to be reasonably *necessary* for the public welfare. All may admit that a regular eight-hour workday is the ideal condition; and that the reduction of the legal limitation of the working hours of women from ten to nine per day, would be *conducive*

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to the public health. But that is not enough to justify such a statutory restriction; there must be a public necessity. As the courts say in the Lochner and Williams cases: "There must be more than the mere fact of the existence of some small amount of unhealthiness to warrant a legislative interference with liberty." The strong and hardy cannot be deprived of their right to use their full powers merely to prevent unhealthy overexertion by a small proportion of weak and unhealthy. There is a wide margin between ideal regimens of conduct that are desirable and the absolute limitations necessary for the public health which under our constitution may be prescribed by law. There is little in existing conditions to cause dissatisfaction with the results of such constitutional principles. The prevailing hours in New York factories are moderate, and the natural tendency is to shorten them. The shortest hours have been brought about by this tendency and by the efforts of organized labor, and not by statutes. And practically it would be almost as useless as it is unconstitutional to apply penal statutes to slight variations from desirable standards. To secure general and uniform enforcement they must be reserved for radical departures from those standards.

These adverse decisions should not lead to discouragement nor to useless criticism and agitation, but rather to a more careful study of and compliance with constitutional requirements and restrictions in framing future labor legislation.

P. TECUMSEH SHERMAN.

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RECENT JUDICIAL DECISIONS ON EMPLOYERS' LIABILITY.*

Cases Under the Liability Act of 1902.

I. While at work in a factory in Connecticut, Fred Kleps, a resident of the State of New York, was injured and was awarded $5,000 damages at the Queens County Trial Term in April, 1904. The Second Appellate Department in October, 1905, upheld this judgment [BULLETIN 1905, p. 459], holding that the Supreme Court of New York State had jurisdiction in the case and that a pleading based on the Employers' Liability Act did not prejudice the plaintiff's rights under the common law. The Court of Appeals unanimously affirmed this judgment in June, 1907. The *per curiam* opinion follows:

"The judgment should be affirmed, with costs. The Employers' Liability Act (chap. 600, Laws 1902) did not provide a remedy for an employee injured in the course of his employment which was exclusive or in abrogation of a right of action at common law. It gave him a right of action for such injury which was in addition to remedies theretofore existing. The complaint in this action contained allegations appropriate to and sufficient for the statement of a cause of action at common law, and especially after the proceedings with reference to the complaint occurring at the commencement of the trial the trial judge was justified in treating the action as one at common law."—*Kleps* v. *Bristol Manufacturing Co.*, 189 *N. Y.* 20.

II. A longshoreman, injured by falling through a defective hatch into the hold of a vessel, is awarded $2,500 damages and on appeal the judgment is affirmed by the United States Circuit Court of Appeals in February, 1907. The reporter's summary of the case is as follows:

"1. *Master and Servant — Injury to Servant — Defective Means or Appliances.*— It is the duty of a master, not only to provide suitable machinery, means, and appliances to do the required work, but to use due care to keep them in repair; and if an accident happens by reason of his neglect to dis-

* Under this heading are recorded all decisions of courts of record under the Employers' Liability Law of 1902 or the general Labor Law; also decisions under the common law handed down by the Court of Appeals, or by the Appellate Divisions of the Supreme Court when final. Other decisions under the common law are not reported here unless special circumstances make them of unusual interest.

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charge this duty, resulting in an injury to a servant, the master is liable in damages therefor.

"2. *Same — Action for Damages — Questions for Jury.*— Where a vessel, while discharging and reloading, was in charge of a superintendent or foreman representing the owner, and for whose negligence the owner was responsible, under Laws N. Y., 1902, p. 1748, chap. 600, the question whether the foreman's negligence was the cause of the injury of an employee, who fell through a hatch because of a defective cover, was properly submitted to the jury, where there was evidence tending to show that the cover had been out of repair for a long time, and that its condition would have been revealed by even a slight inspection.

"3. *Appeal — Harmless Error — Evidence — Contributory Negligence.*— In an action by a longshoreman against the owner of a vessel by whom he was employed to recover for an injury to plaintiff, resulting from his falling through a hatch, owing to one of the covers being too short, where it was shown that plaintiff assisted in putting such cover in place, the exclusion of evidence to show a general custom of longshoremen, when placing such covers which were too short, to chock the ends, was not prejudicial to the defendant, since if plaintiff knew or should have known of the defect, he was guilty of contributory negligence in stepping upon the cover, irrespective of any failure to chock it, while, if he did not know and the defect was not obvious, he was not chargeable with negligence, and any negligence of a fellow-servant as a concurring cause of the accident in connection with the negligence of defendant in failing to supply a proper appliance would not constitute a defense."— *International Mercantile Marine Co.* v. *Fleming*, 151 *Fed. Rep.* 203.

III. The superintendent of a knitting mill while riding on an elevator, alleged to have been defective, received injuries for which damages were sought. The trial court dismissed the case but the Third Appellate Department reversed the judgment granting a new trial. The action was brought under the Employers' Liability Act. It was urged that inasmuch as plaintiff was defendant's superintendent he was the *alter ego* of the master and, therefore, outside the application of the statute. The fact, however, that plaintiff was a superintendent made him none the less an employee and the Employers' Liability Act does not make any distinction between different classes or grades of employees. It was further held that although the master has posted a notice forbidding employees from riding on a freight elevator, it is for the jury to say whether the defendant acquiesces in such use when there is evidence that the employees were accustomed to use it to the knowledge of the master, and a dismissal of the complaint of a superintendent who was injured on such elevator, is error. As section 3

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of the Employers' Liability Act provides that the question whether an employee assumes the risk of injury or is guilty of contributory negligence by the continuance in his employment with knowledge of the risk is a question of fact, it is error to dismiss the complaint of one injured on the freight elevator upon the ground that being near a landing when the elevator stopped, he could have stepped to the floor and attempted to operate it from a place of safety.—*Aken* v. *Barnett and Aufsesser Knitting Co.*, 118 *App. Div.* 463.

IV. In this case the Fourth Appellate Department applied the well-established rule that in the absence of regular superintendent or foreman the person placed in charge of or directing the work is acting as a superintendent within the meaning of the Employers' Liability Act. It declared that the plaintiff's intestate was employed by the defendant to clean ashes from locomotives in an ash pit over which the locomotives were run for that purpose. While so engaged, an employee known as a "hostler," without other warning than ringing the bell, started two locomotives under which the intestate was working, whereby the intestate was run over and killed. There was evidence that the "hostler" had been directed by the acting superintendent to take the locomotives from the pit as soon as possible, and was told that they were dumped and ready to be removed. In affirming a verdict in favor of plaintiff of $7,233 the Fourth Appellate Department in March, 1907, held that the "hostler" was justified in relying on the statement of the superintendent that the locomotives were ready to be moved, and that the defendant could not be heard to say that its orders should be disregarded or its information treated as unreliable, and that a verdict for the plaintiff was warranted.—*Mikos* v. *New York Central and Hudson River R. R. Co.*, 118 *App. Div.* 536.

V. A track repairer while at work on an elevated railroad was struck by a train and injured. Defendant had engaged a foreman a part of whose duties was to warn the workmen of approaching trains. At the time the accident occurred, the foreman was temporarily absent. An award of $1,000 damages was obtained by plaintiff but on appeal the First Appellate Division of the Supreme Court in March, 1907, set this award aside. Under

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the Employer's Liability Act, which extends the liability of the employer, it is necessary to give notice within 120 days of the time, place and cause of the injury. Such notice was not given and the case, therefore, should have been tested by the rules applicable to a common-law action. Had the action been brought under the Employers' Liability Act, plaintiff would have had advantage of the rule set up by that act, that an employer is liable for the negligence of his superintendent. But under the common-law rule the act of a superintendent is merely that of a fellow-servant for which the employer is not responsible. The charge of the lower court that the foreman was the *alter ego* of the master was, therefore, held to be error and the judgment unanimously reversed.— *Curran* v. *Manhattan Railway Co.*, 118 *App. Div.* 347.

VI. A boy of nineteen while operating a planing machine had his hand taken off. Suit was brought and an award of $5,000 damages obtained. This judgment was unanimously affirmed by the Second Appellate Department, in March, 1907. The opinion, written by Justice Gaynor, is as follows:

"Assuming that the machine is correctly described in the opinion in Crown *v.* Orr (140 N. Y. 450), that case was not like this one. There the plaintiff was injured by having his hand caught in the revolving knives of the planing machine while he was replacing the hood on the top of the machine which covered the knives. The hood being off, the knives were fully exposed, and the danger of them obvious. Here the sets of rollers which are in front of and in the rear of the knives, and which draw the boards through, are covered by a front and a rear flap, both of which rise or open on hinges to expose the rollers in order to clean or care for them. They are down when the machine is in operation, but there is an open space between them about 4 or 5 inches wide extending across the top or table of the machine. This opening exposes a revolving shaft which also extends across the table, and is flush with the said flaps. It is about four inches wide and two inches thick, and its sharp metal edges shave the boards as they pass underneath it. It has no knives, but only these sharp edges, and in its swift revolution of about 3,000 a minute it looks like a smooth roller. It throws the shavings out to the rear through the said open space, and they keep accumulating, more or less, at the opening. The plaintiff was brushing them away with his hand on direction of the man whom he was assisting when it was caught by the revolving shaft and taken off. The learned trial judge charged that if the danger was obvious the plaintiff could not recover, but if not that he should have been instructed of it. It is not altogether plain that the danger was obvious to a boy of nineteen, which the plaintiff was, who had only worked at the machine

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two hours, and who was removing the shavings for the first time. The jury did not think it was after hearing the evidence and inspecting the machine, which was also exhibited to us. That he used his hand instead of a stick was not negligence as matter of law for the same reason."— *Smith* v. *Wesel Manufacturing Co.*, 117 *App. Div.* 834.

VII. Defendant appeals from an award of $3,500 damages granted plaintiff who lost the sight of one eye by being struck with a piece of wire used as belt lacing and which broke. The wire commonly used was a soft, ductile copper wire while that used at the time of the injury was hard and brittle. Plaintiff, a machinist of many years' experience, had complained that the wire was brittle and broke often, but was told by defendant's superintendent to use it. In reversing the judgment the Second Appellate Department through Justice Woodward said in part:

"We know of no case of controlling authority where it has been held that a master who has furnished a simple implement, all of the qualities of which were equally known to the employee, was liable for damages resulting from the use of such an implement in the ordinary vocation of such employee. The plaintiff knew that the wire was brittle, he had complained of it, because it broke when in use and took up so much of his time in fixing belts, and he testifies that while using the same wire for sewing belts it had previously broken and struck him on the shoulder or other parts, and yet, without making any complaint upon this score and with better opportunities for knowing the danger from the recoil than would naturally come to the master or even to the foreman, he urges that the master was negligent in furnishing this particular kind of wire."— *Damjanovic* v. *Herring-Hall-Marvin Safe Co.*, 119 *App. Div.* 12.

VIII. An experienced bricklayer, while working for defendants upon a scaffold, laying an eight-inch wall resting upon a wall previously built, put one foot upon the wall on which he was working, and some bricks in three courses, with the laying of which the day before by defendants' workmen he had had nothing to do, fell out and he was precipitated to the cellar. Evidence showed that the method of construction was unsafe and unusual and that the cement used was defective and of inferior grade. The case was dismissed in the Municipal Court of the City of New York, but on appeal the dismissal was declared error and a new trial granted (51 Misc. 614). The plaintiff again appeals from a judgment in favor of defendants and the Supreme Court at the Appellate Term in May, 1907, again adjudged the trial justice in error and granted a new trial, it being held that

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it was a question for the jury whether the manner of construction was safe or unsafe; that it was also a question for the jury whether the plaintiff was guilty of contributory negligence in putting his foot on the wall, and that it was also a question for the jury whether the defendants had failed to provide the plaintiff with a safe place to work. It also appeared that, at defendants' request, the court charged the jury that there was no evidence in the case that the defendants failed to provide the plaintiff with safe machinery, platform or a safe place to work.—*Meehan* v. *Hogan,* 54 *Misc.* 241.

IX. Plaintiff, while working on defendants' machine, complained on two occasions that the machine was defective. On foreman's promise to remedy the defect in "a couple of days" plaintiff returned to work but before the expiration of the specified time was injured through the alleged defect in the machine. In the leading case of Rice *v.* Eureka Paper Co. [BULLETIN 1903, p. 186] the Court of Appeals held that where a master makes a promise to repair, he, and not the servant assumes the risk between the time of the promise and the time for its fulfilment and for a reasonable length of time afterward. In the present case the plaintiff was awarded damages by the Municipal Court of the City of New York and, on appeal, the Supreme Court at the Appellate Term in May, 1907, unanimously affirmed the award.—*Altman* v. *Schwab Manufacturing Co.,* 54 *Misc.* 243.

Cases under the Common Law of Negligence.

I. A locomotive fireman is killed in a collision and suit is brought to recover damages. The trial court directed a verdict in favor of defendant upon the theory that the death of plaintiff's intestate was caused by the negligence of a co-employee. On appeal the Fourth Appellate Department by a divided court affirmed the verdict, but the Court of Appeals in June, 1907, reversed the preceding judgments. The official reporter's summary of the case follows:

"The evidence examined in an action brought to recover for the death of a locomotive fireman resulting from a 'head-on' collision between two trains on defendant's railroad, alleged to have been caused by the failure of the defendant to adopt and enforce proper rules and precautions for the safety

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of its trains and those employed upon them, in which action the trial court directed a verdict for the defendant upon the ground that the death of plaintiff's intestate was caused by the negligence of a co-servant, and held that the case should have been submitted to the jury upon two questions of fact: (1) Whether the rules and regulations of the defendant, under which trains were operated by the train dispatcher, who represented the defendant in the management of its trains, were sufficient or not; and (2) whether, in taking verbal orders from a local telegraph operator as to the movement of an opposing train, the engineer of the train, upon which plaintiff's intestate was working at the time of the collision, followed a general custom which had been established, with the consent and approval of the defendant, under directions from defendant's trainmaster who stood in the place of defendant for the purpose of seeing that proper precautions were taken to insure the safety of trains."— *McCarthy* v. *Pennsylvania R. R. Co.*, 189 *N. Y. Rep.* 170.

II. Plaintiff's intestate, a brakeman, while operating a "wildcat" train was killed by the explosion of a car of dynamite. The complaint was dismissed by the trial court but the Third Appellate Department, in March, 1907, reversed the decision. Contray to the Company's rule, the dynamite was loaded on a car unprovided with an air-brake and was attached to the end of the train instead of in the middle. As the accident occurred before the passage of the Employers' Liability Act, the trial court dismissed the complaint on the ground that the accident was caused by a co-employee. In reversing this judgment, the Appellate Division held that the jury might have found that the master was negligent in providing a car without air-brakes and thus putting it beyond the power of its employee to comply with its rule with respect to the transportation of high explosives. In such case plaintiff would have had the advantage of the rule that where an injury to an employee is caused partly by the negligence of another employee and partly by that of the master, the negligence of the co-servant will not excuse the defendant from the consequences of its own fault.— *Kelly* v. *D., L. & W. R. R. Co.*, 118 *App. Div.* 432.

III. A workman injured by a blast brought suit, alleging negligence on the part of the employer in failing to make and enforce proper rules for the safe conduct of the work, and negligence of the employer's superintendent. A motion that plaintiff furnish a bill of particulars setting forth his claim as to whether defendant was personally in charge of the work, or

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whether it was in charge of a servant, and if so, who such servant was, or what position he occupied, and in what particular the blast was improperly fired, and of what the negligence therein consisted and what rules should have been made for the greater safety of the work, was denied. On appeal the First Appellate Department in March, 1907, reversed this ruling holding that the defendant was entitled to know what the plaintiff will claim on the trial concerning the points enumerated. The office of a bill of particulars is not to expose to his adversary the evidence of the party giving it, but is to amplify the pleadings and to indicate with more particularity than is ordinarily required in a formal plea the nature of the claim made in order that surprise upon the trial may be avoided and that the issues may be more intelligently met.—*Dwyer* v. *Slattery,* 118 *App. Div.* 345.

IV. The Fourth Appellate Department in March, 1907, affirmed an award of $6,000 damages to plaintiff. The reporter's head note summarizes the case as follows:

"A master maintaining a chute used to slide merchandise from one floor to another is bound to so secure it that it will not fall, which duty can not be delegated so as to relieve the master from liability for injuries so caused.

"When it is a question as to whether a release signed by the plaintiff was obtained by misrepresentation of the master and was signed by the plaintiff without knowing its contents, and when the court has charged that if when the plaintiff signed he knew and understood the language of the instrument that he could not recover, a subsequent refusal to charge that if the plaintiff 'knowingly' executed the release he can not recover, must be construed to mean that the court refused to charge that the plaintiff could not recover if he knew he signed the paper, that interpretation being necessary in view of the prior charge.

"Although the effect of such release may not be avoided without repaying or tendering the consideration, the objection can not be taken for the first time upon appeal."—*Ambellan* v. *Barcalo Manufacturing Co.,* 118 *App. Div.* 547.

V. An employee engaged in sorting vanilla beans testified that after two weeks her skin itched and a red swelling appeared on her face, arms, neck and breast. She quit work for six weeks and was cured, but on returning the eruption reappeared. She sued her employer and was awarded damages for negligence of the master in not warning her of the danger attached to the work. On appeal, the Second Appellate Department in April, 1907, unanimously reversed the decision. The principle that " it is the

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duty of an employer to warn his servant with respect to latent dangers known to the employer or discoverable by him in the exercise of reasonable care" is admitted, but it is held that the evidence failed to establish that any danger attended the sorting of the beans. "Therefore, it was for the plaintiff to show that the master knew or in the exercise of due care should know of the alleged latent danger before she can assert that the master was negligent in not warning her thereof. The plaintiff made proof of the rash which her physician said was very similar to the poison of poison ivy; but the proof of the cause is very unsatisfactory, and the proof of the defendants' knowledge, actual or constructive, is weak and cannot prevail against the evidence of the defendants." —*McDonald* v. *Triest*, 119 *App. Div.* 75.

Cases under Section 81 of the Labor Law.

I. Under section 81 of the Labor Law, which provides that a master shall guard all dangerous machinery, $8,000 damages were granted at the Kings County Trial Term for injuries received by plaintiff, but the Second Appellate Division set the award aside. In the unanimous opinion written by Justice Gaynor the facts and findings are stated as follows:

"The plaintiff was at work feeding a mangle. She had to spread the linen piece out upon a feed apron, which carried it along to the rollers and steam-heated cylinders of the mangle, through which it went. In some way the plaintiff's hand got in between the first roller and the cylinder. She was unable to tell how it happened. She did not need in the work to put her hand against the cylinder or roller. On these facts the plaintiff was not entitled to recover as the law formerly was. (*Hickey* v. *Taaffe*, 105 *N. Y.* 26.)

"This machine had a small wooden guard roller across the apron two fingers' width or more from the cylinder, but it had been taken off about two weeks before the accident by the foreman. The plaintiff did not ask to have it put back; the workers, it appears, did not like it; it rubbed the ends of their fingers. The plaintiff understood all about it and the machine, and was willing to work without it. The Labor Law (§ 81) requires machinery to be properly guarded, but a statutory obligation of employer to employee is on the same footing, and no more than, a common-law obligation. Each is simply a legal obligation, and the one may be waived the same as the other. It is a simple matter over which words have been multiplied. (*Knisley* v. *Pratt*, 148 *N. Y.* 372.)

"But chapter 600 of the Laws of 1902, sometimes called the Employers' Liability Act, no longer permits the courts to rule as matter of law, in an action brought under that act, as is the case of this action, that an employee assumes the risk caused by the employer's failure to discharge any duty of

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safety, or is guilty of contributory negligence, by continuing in the work with knowledge of such failure (sec. 3). The trial judge therefore properly submitted those questions to the jury.

"The exclusion of the testimony of the doctor of what the plaintiff told him of how the accident happened was reversible error. That he was treating her professionally did not make the evidence inadmissible under section 834 of the Code of Civil Procedure upon her objection. The prohibition of that section only applies to information of patient to physician 'which was necessary to enable him to act in that capacity.' She did not need to tell him that she carelessly got her hand into the machine to enable him to treat the injuries to it. (*Green* v. *Met. St. R. Co.*, 171 *N. Y.* 201.)

"The judgment and order must be reversed."—*Travis* v. *Haan*, 119 *App. Div.* 138.

II. A boy injured on an unguarded shaft brings suit under section 81 of the Labor Law and is awarded $2,000 damages by the Supreme Court at Richmond County and the Second Appellate Department in April, 1907, upheld the decision. The reporter's head-note is as follows:

"A defendant who maintains machinery for a cooperage as part of its business establishment, and who contracts with the plaintiff's employer to keep the machinery in repair and allows him to use it to repair barrels for it which it uses in its business, is under the duty imposed by section 81 of the Labor Law to properly guard the machinery and may be held liable for an injury resulting to the plaintiff from an unguarded shaft of the engine.

"The duty prescribed by said section rests upon the defendant although there be no contract relation between him and the plaintiff. The rules governing where machinery is leased do not apply, as the defendant retained control and charge of the machinery, merely allowing its use by the plaintiff's employer.

"Under such circumstances it is not error to refuse to submit the questions of assumption of risk to the jury. Assumption of risk is a matter of contract and inapplicable in an action against a third person."—*Poole* v. *American Linseed Co.*, 119 *App. Div.* 136.

III. Under the same section an employee recovered $3,000 damages for injuries received on an unguarded planing machine. Appeal was taken, the defendant alleging that the trial judge was in error in submitting to the jury the questions of assumption of risk and whether the machine should have been guarded. The Second Appellate Department unanimously affirmed the judgment. The opinion written by Justice Gaynor is quoted in full:

"While the plaintiff was planing barrel staves on a steam planing machine one of them drew his hand into the planing knives by a sudden jerk. The knives came up through the table. The questions submitted to the jury were whether the knives should have been guarded, except the space necessary for the board to go through, and, if so, whether the plaintiff had assumed the risk

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caused by the absence of such a guard. There was evidence that the guard was practicable and in use. Section 81 of the Labor Law requires that certain machinery, including 'planers,' shall be properly guarded; and section 3 of chapter 600 of the Laws of 1902 (commonly called the Employers' Liability Act), makes the question of the assumption of risk caused by the absence of such guard one of fact. The jury and the learned trial judge seem to have correctly decided the case. The judgment and order should be affirmed."—*Neuweiler* v. *Central Brewing Co.*, 119 *App. Div.* 101.

Cases under Section 18 of the Labor Law.

While operating a block and fall used to hoist railroad ties to an elevated railroad, the appliance collapsed and plaintiff's intestate was struck by a stick of timber. Suit was brought but the case was dismissed at the Kings County Trial Term on the ground that defendant was not guilty of negligence but that the negligence was of the deceased who assisted in erecting the hoist. The Second Appellate Department, however, reversed this judgment in March, 1907. Justice Gaynor, writing the unanimous opinion, says:

"Section 18 of the Labor Law (Laws of 1897, chap. 415) provides that the employers of persons to labor 'shall not furnish or erect, or cause to be furnished or erected for the performance of such labor, scaffolding, hoists, stays, ladders, or other mechanical contrivances which are unsafe, unsuitable or improper, and which are not so constructed, placed and operated as to give proper protection to the life and limb of a person so employed or engaged.' It was, therefore, a question of fact for the jury whether the defendant's method or system of placing and securing the hoist was a safe one. The plaintiff did not devise such method; he only helped in carrying it out. It was for the employer to adopt a safe method or system, and that duty could not be evaded by delegation. Not only is the said statute in the way of such delegation, but that was the rule before the statute was passed. And the fall of the hoist while being properly used for the purpose for which it was set up was of itself evidence that it was unsafe, and brought the case within the maxim that the thing speaks for itself. (*Stewart* v. *Ferguson*, 164 *N. Y.* 553.)

"The objection that the statute cited in the foregoing was not available for not being pleaded in the complaint is founded on a mistaken notion. It did not need to be pleaded; it would not be scientific to plead it. The cause of action is not on a statute. All that the statute does is to make the employer liable for unsafe scaffolds, hoists, etc., even though they be negligently put up by fellow-workmen of the plaintiff as part of their work, whereas before the statute he was not; in other words, it makes evidence competent to show his negligence which was not competent before.

"The judgment should be reversed and a new trial granted."—*Haggblad* v. *Brooklyn Heights Railroad Co.*, 117 *App. Div.* 838.

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In an action brought under section 18 of the Labor Law, the Fourth Appellate Department by a vote of 4 to 1 set aside a verdict of $5,000 granted to a carpenter who while at work on a scaffold repairing the interior of a bank was injured by the breaking of the board on which he stood. The scaffold was composed of two wooden horses across which a plank was laid, the plank being from eight to ten feet above the floor. In submitting the case to the jury the trial judge charged that as a matter of law the relation of master and servant existed and that the structure was a scaffold under section 18 of the Labor Law. This was held by the Appellate Division to be reversible error on the ground, first, that the question of relation of master and servant was one of fact for the jury and, secondly, that the structure was not a scaffold within the meaning of the statute. The latter opinion was held on the authority of Schapp v. Bloomer [BULLETIN 1905, p. 52], in which "ordinary staging, put up in a room from four to six feet above the floor to facilitate the placing of fixtures" was held to be outside the meaning of the statute.

In a dissenting opinion Justice Spring points out that the use of the structure in question was definitely specified in the statute as "the erection, repairing, altering or painting of a house, building or structure" whereas in the Schapp case the purpose of the staging was for the erection of "fixtures" which, in that case, court said were not specified in the law. On the question of the relation of master and servant issue is also taken with the prevailing opinion and the trial judge sustained.— *Williams* v. *First National Bank,* 118 *App. Div.* 555.

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EMPLOYERS' LIABILITY AND ACCIDENT INSURANCE LAWS ABROAD.

When the Bureau of Labor Statistics published its seventeenth annual report in 1899, containing an extended article on the "Compensation of Accidental Injuries to Workingpeople," there were still six European countries that treated the problem simply as one of negligence law, as is still done in the United States. Since that time, however, Belgium, Holland, Sweden and Russia have enacted workmen's compensation or accident insurance laws, leaving only Switzerland and Hungary in the same class with the United States. Outside of Europe, four British colonies, including three in Australasia and one in Canada, have enacted workmen's compensation laws, modeled on the English Act of 1897, which was itself recast and vastly extended last December, as described in the BULLETIN for March of the present year. As the Bureau's Report for 1899* can no longer be supplied, it has been decided to bring the summary of legislation down to date and at the same time reprint in the BULLETIN the concluding chapter, entitled —

GENERAL REVIEW OF THE PROBLEM OF INDUSTRIAL ACCIDENTS.

I. EVOLUTION OF WORKMEN'S COMPENSATION ACTS.

The study made, in the preceding chapters, of the experience of European countries in dealing with that great social question of accidents to workmen which has been thrust forward by the development of machinery and the corporation — the two most significant characteristics of modern industry — brings into clear relief the tendency to substitute for the legal idea of negligence as the basis of compensation, the economic and social idea of insurance. Before the industrial revolution brought into prominence the steam engine, the machine and the limited liability companies, the legal idea that every individual should suffer the consequences of his own deeds was simple, just and enforceable. When an accident occurred in a workshop where the proprietor worked alongside his men and where each man worked with his own tools and knew the capabilities of his fellow-workmen, it was comparatively easy for a jury to determine the responsibility in the majority of cases. And

* This topic has also been the subject of special articles as follows: BULLETIN No. 9, June 1901, pages 120–6; No. 28, March, 1906, pages 91–97; ("Present Status of Employers, Liability in the United States and Europe"); No. 29, June, 1906, pages 244–6 (The New York Act of 1906); No. 32, March, 1907, pages 74–95 (The New British Workmen's Compensation Act); No. 33, June, 1907, pages 256–7 (Industrial diseases included in the British Act).

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as for the few accidents that came by pure chance, the journeyman was as able, financially, to bear the burden as was the employer. Hence, the law said that the employer shall pay damages to his injured workmen only when he has been negligent and failed to provide for them a safe workplace, sound materials and tools and competent direction.

Then came steam machinery and joint-stock companies. The artisan became a machine-tender; the employer a bond or stockholder. Accidents multiplied, because machinery is dangerous. Who now was responsible under the law? Not the employer, for he had done his duty in furnishing "the ordinary and reasonable" safeguards; if, as part owner of a railway, he was compelled by law or by the courts to put up a target at every switch, innumerable lives might be saved, but then many of the country's transportation lines would fail to make their expenses and would go out of business. And thousands of accidents could not be prevented by any amount of expenditure.

Shall then the workmen bear all the consequences of this industrial risk? Can they prevent the innumerable accidents that happen because the engineer in a distant part of the factory fails to shut off steam and stop the machinery at the signal, or because a careless boy drops a match in a barrel of powder? Can anyone expect veteran sawyers to approach the circular saw with the same degree of caution that a green hand would use? Small indeed would be their wages if modern machine-tenders never took a risk, for small would be the production of modern factories and mills.

The transformation in industrial methods means, then, that comparatively few accidents can be attributed to negligence on the part of either employer or employee; statistics of recent years have absolutely proved that fact. Besides referring to tables already presented, it is possible to give the moral causes of about 50,000 accidents to workmen that occurred in Austria in the five years, 1890–1894:

TABLE CXII.*		Number.	Percentage of total.
Fault of victim	Imprudence and gross negligence	10,937	22.597
	Disobedience of rules or neglect to use safeguards	1,563	3.229
	Intentional fault	7	0.014
Fault of employer	Defective plant	413	0.853
	Omission of safeguards	218	0.450
	Gross carelessness	53	0.109
Fault of third person		762	1.574
Unforseen contingencies		33,976	70.198
Unknown		471	0.973
Total		48,400	99.997

While a considerable number of these accidents — which include all that were indemnified under the Austrian law in the years mentioned and therefore called for careful investigation — was attributed to the fault of the victim and some few to the fault of the employer, the vast majority were declared to be due to unforseen contingencies. And this class of accidents is naturally destined to form an increasing proportion of all accidents as the means of prevention on the part of workmen and employers are more fully

*Cf. *Bulletin du comite permanent* of the International Cong. of Accidents, 1897, VII,2

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utilized; thus while for the whole five years' average the unavoidable accidents constituted 70.2 per cent of the total, they constituted only 51.8 per cent of the total in 1890, and increased in the succeeding years as follows: 1891, 66.2 per cent; 1892, 67.8 per cent; 1893, 77.8 per cent; 1894, 78 per cent.

He who would seek a remedy must perforce look at the problem from the social point of view. Here are thousands of accidents happening to workmen every year and involving illness, stoppage of work and financial loss. Is it for the welfare of society, the best interests of the community, that the individual wage earners should bear the financial burdens with the aid of relatives, friends and in many cases the public charities; or that they should be assumed by the consumer as a part of the necessary cost of his goods, exactly as the wear and tear of the machines themselves are paid for by the consumer as a result of their inclusion, by the employer, in his expenses of production?

This is the question that every industrial nation sooner or later has to face. How it has been answered in Europe this study aims to show. Starting from essentially the same point as the United States*— the legal idea of negligence — the European countries quickly realized the need of change. It was not merely that employers' liability laws founded on the idea of negligence failed to bring compensation to an injured workman, but that they frequently prevented the workman from getting what he was clearly entitled to by reason of their uncertainty, their delays and their expensiveness. A mining company may have been ever so negligent, but if a colliery explosion killed all the miners, whence were the families of the stricken men to obtain evidence of neglect? The difficulties of securing legal proof of negligence at first struck the European statesmen as constituting the principal weakness of the law of employers' liability. Hence their first attempts at reform were in the direction of removing the burden of proof from the shoulders of the workmen to those of the employers. As long ago as 1838, Prussia inverted the *onus probandi* with respect to railways, by making the companies liable for all accidents that they could not prove to be due to unavoidable circumstances or to the negligence of the victim. Upon the foundation of the German Empire in 1871, this law was adopted for the entire country, and thence it has spread throughout Europe. Even despotic Russia has adopted it.

For a long time, the inversion of proof remained the goal and hope of public-spirited statesmen, who sought to extend its application from railways to other dangerous pursuits. In this effort, Switzerland went farthest, her laws of 1881 and 1887 applying the inversion-of-proof idea to factories, building enterprises, construction and engineering work, all forms of transportation, etc. (See Chap. VII, § 1, above.) But Switzerland has found these laws entirely unsatisfactory, as have the other countries that applied them only to railways. The determination of the amount of compensation to be paid always entails expensive and tedious litigation, and in any event the execution of the law places the workman and his employer in an attitude of hostility to one another. The British Royal Commission on Labor clearly pointed out that "when a workman goes to law with his employer, he as it were declares war against the person on whom his future probably depends.

*Except that the Continental countries did not have the doctrines of "common employment" and "contributory negligence" (the abrogation of which has been almost the sole end and object of American reformers).

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* * * The broad result is that a legal claim for damages only answers when the injury is very great and a workman is prepared to leave his master's service." On the other hand, the liability laws were only a little less distasteful and unsatisfactory to the employers, who were often put to enormous expense to defend themselves against the legal attacks of professional "accident" attorneys. The money that fair-minded employers would willingly have paid to an injured employee in the way of compensation, they saw absorbed in the costly processes of litigation.

By this time the insurance idea had attained somewhat of its modern development, and business men began to realize that if only the amount of compensation could in some way be kept within fairly definite limits, their liabilities to compensate injured employees could be insured against as readily as their fire risks. Such legislation was precisely what the students of the question recognized as being needed to abolish expensive and unfruitful litigation and promote more amicable relations between employers and their workmen. Thereupon the evolution of liability laws entered upon its third stage; the laying down in public statutes of fixed amounts to be paid by employers, without recourse to law, as compensation to their employees in virtually *all* cases of accident incidental to their employment.

In some form or other, such Workmen's Compensation Acts have now been passed in fifteen European States, including the great industrial countries of England, Germany and France. In some of these countries, the evolution of liability laws has entered upon a fourth stage, namely, the requirement that all employers in the industries subject to the act shall insure their liabilities, in order to protect the injured workmen in case of failure in business. In other countries, it has been assumed that for his own protection the employer will voluntarily take out accident insurance.

II. ANALYSIS OF EUROPEAN WORKMEN'S COMPENSATION ACTS.

These and other characteristic differences in the several Workmen's Compensation Acts — including thereunder the accident insurance laws of countries which make insurance obligatory — are exhibited in the accompanying conspectus. The essential feature of what is known as a Compensation Act is that it contains a scale of compensation; although a second feature of almost equal importance is that it cover substantially all classes of accidents of employment (those caused *intentionally* by the victims being unimportant in number). For example, the Swiss Liability Law is as broad with respect to the kinds of accidents it includes as the Spanish or Finnish law; but the Swiss law does not contain a scale of compensation and is, therefore, omitted from this summary.

It will be observed that insurance is compulsory in Germany, Austria, Norway, Finland, Holland, Belgium, Greece and Italy; and voluntary in the other countries. But among the countries that have the compulsory features the organization of the system varies remarkably; and it may very well be that the employers in some of these countries have more actual freedom than in the countries that nominally leave insurance voluntary. A brief description of the several systems will clarify the statement.

In England the employer is left absolutely free to contract insurance or not as he sees fit, the law simply providing that if he does take out insurance

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the injured workmen have a lien upon any amounts due him in case of accident. Employers are not permitted to make contracts with their workmen releasing themselves from obligation to pay compensation under the law, in return for privileges of membership in an employer's aid fund, unless such funds are approved by the government as furnishing compensation to workmen in case of accidents at least as favorable as that assured them by the act.

The Spanish act allows employers perfect liberty of choice in insuring themselves against liability, and the Danish act is substantially like the British.

The French act nominally permits voluntary insurance, but it provides for a system of control over insurance companies and private societies that distinguishes it sharply from the English act and renders it in some respects more paternal than the Italian or German compulsory insurance systems. As respects claims for compensation of minor injuries, entailing merely temporary incapacity for work, the French law protects the workman against his employer's failure to pay by granting him a lien on the employer's assets. In case of serious accidents, entailing death or permanent disablement, the workman's claims to compensation are guaranteed by the state. This is the entering wedge of compulsory and state insurance, since for the accumulation of the guarantee fund the state lays a special contribution (in the form of an addition to the regular business tax) upon all concerns subject to the law. If failure among employers to meet their liabilities becomes common, the guarantee fund may in the end transform its administrator (the National Old-Age Pension Bank) into a state insurance office. Moreover, the French act in permitting the employers to transfer their liabilities to insurance companies does so only under the provision that such companies subject themselves to governmental supervision. Under this provision the state, in determining the amount of reserve required for those companies, virtually establishes their insurance rates.

The Italian law does not go much beyond this. It says that all employers must contract insurance, but permits the railways to have their own pension funds as in the past. Other employers may unite to form mutual associations and by collective responsibility thus furnish adequate protection to injured workmen with claims for compensation; or firms employing at least 500 workmen may establish their own funds by depositing securities with the government. If none of these ways is practicable to an employer, he may contract insurance with a duly authorized private insurance company or with the National Bank for the Insurance of Workmen against Accidents, a semi-public institution administered by leading savings banks in the public interest and not for profit.

The law of Finland is very much like that of Italy.

In Germany the system of compulsory insurance is very simple; all the employers in a given industry are required to unite in the formation and maintenance of a mutual association, which assumes all obligations of its members on account of accidents to employees with the proviso, of course, that it may seek reimbursement from a member whose negligence has resulted in accidents. The mutual trade associations (of which there are now 65 in manufacturing and 48 in agricultural industry) determine the amount of compensation due an injured workman and give him an order for the same

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which is cashed by the imperial post-office department. At the end of each year, the department presents its bill to each association, which pays the same by means of the dues or assessments of its members. While the associations have a large measure of self-government, they are subject to government supervision.

In Austria the organization of establishments subject to insurance (including both employers and workmen) is by districts rather than on trade lines. And while in Germany the annual contributions cover little more than the actual amount expended for relief of the injured and their pensions, in Austria they include the capital value of the pensions.

Of all the countries that have adopted the principle of compulsory insurance, only Norway, Sweden and the Netherlands have established state insurance offices. Even in Norway, the expenses of insurance are paid for the most part by the employers; the state undertaking nothing more than the costs of management and the covering of deficits created by the bankruptcy of liable employers,— perhaps 20 or 25 percent of the aggregate. It is a mistaken notion, still held by many Americans, that the European accident insurance legislation is socialistic. On the contrary, the preceding review shows that in no case does the public treasury pay compensation for accidents; the cost is advanced in the first instance by the employers and by them transferred to the community like any other of the expenses of production.

The other particulars noted in the conspectus call for little explanation. A noticeable variation exists with respect to the interval that must elapse between the date of the accident and the day when the allowance or pension becomes payable. In Germany this "waiting time" was fixed at thirteen weeks; but Germany has a sickness insurance law which furnishes aid to the injured during this interval. There is much to be said in favor of such an arrangement, as the sickness funds are largely managed by the workmen themselves, who contribute two-thirds to the employers' one-third of the dues and are therefore more likely to detect attempts at imposition. In 1886–1895, 83.5 percent of the injuries compensated were charged to the sick associations; but these were the minor injuries and cost only 12 percent of the aggregate, thus making the workmen's share of the total cost of caring for accidental injuries 8 percent. The Austrian law reduced the "waiting time" to four weeks and made the workmen contribute 10 percent of the dues. It is a singular fact that recent parliamentary reports on revision of the law in both Germany and Austria have favored the adoption of the "waiting period" of its neighbor. But the tendency in the recent legislation of other countries has been toward a shorter interval. Thus, Denmark alone has adopted the thirteen-week period, while Norway has taken four weeks, Finland and most of the British colonies one week, Italy five days, France four days, Russia three days, while Holland, Belgium, Spain and the new British law begin payments immediately.

The compensation to be paid to injured workmen usually includes the expenses of medical attendance and a certain proportion of the victim's wages. This may take one of three forms: (1) A daily or weekly benefit or allowance ranging from one-half to two-thirds of the victim's usual wages, to continue during the period of medical treatment; (2) a pension or annuity

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to a workman permanently incapacitated for work, and (3) a pension or annuity to the family or dependants of a workman whose injuries terminate fatally. When the disablement is complete, the annual pension ranges from one-half to two-thirds, or in exceptional cases in Germany to 100 per cent, of the victim's ordinary earnings; if it is only partial, the pension is reduced to correspond to the diminution of his earning capacity. In case of death, the maximum indemnity in the form of annuity to the family does not exceed two-thirds of the victim's yearly earnings and is sometimes limited to 40 per cent. Many countries have preferred to let the compensation be made in a single payment; England and the British colonies have fixed upon three years' wages as the amount to be paid in case of death; Spain twice, Denmark four times and Italy five times the yearly earnings. But whether the compensation be normally paid in lump or as an annuity, the law usually makes some provision for its transformation into the alternate system. Thus, in Austria, the pension may be commuted, by the payment of its capital value, only with the consent of the poor law officials, and in France the pensioner may, after a certain interval, demand the commutation of one-fourth of his annuity. On the other hand Italy, England, etc., make provision for the conversion, under judicial supervision, of indemnities awarded in lump into annuities of public or semi-public institutions.

The compensation acts have been subject to considerable criticism on the ground that they discriminate against married men, since the employer will have to pay a heavier indemnity in case of fatal injuries to them than he would pay in the event of the death of a single man leaving few or no dependants. The British labor press has been very pronounced in its affirmation of the existence, among British employers, of a decided preference for the employment of unmarried men since the passage of the Workmen's Compensation Act. Such discrimination may indeed be practiced, but the saving thereby effected must be small, inasmuch as the fatal accidents constitute but a small proportion of all the accidents that have to be compensated. In our chapters on Austria and Germany, it was pointed out that the most expensive accidents are not the fatal injuries, but those entailing total disability for the remainder of the life of the workman. The French labor bureau has compiled from the Austrian statistics a table,* showing for each industry the cost of fatal accidents per $10,000 of annual wages and the probable saving if no married men (95 per cent of the fatally injured) were employed; and from this it appears that the percentage of saving on the total expenditure for accident insurance, or compensation of accidents, seldom exceeds 10 percent.

But the Italians have apparently hit upon a regulation that will effectually discourage any such discrimination against men of families on the part of the Italian employers. Their law provides that the indemnity shall be paid in every case of fatal injury; and if the victim leaves no dependants with legal claims upon the indemnity, it is to be paid into a special fund that will be used to meet deficits arising out of bankruptcies, to aid workmen's benevolent funds, to encourage the invention of safety devices, etc., This seems a very happy way out of this difficulty.

*Bulletin de l'Office du Travail, May, 1899, VI, 433.

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III. WORKINGS OF THE COMPENSATION ACTS.

A very brief summary of the results of the compensation acts and insurance laws of Europe will aid in deciding whether, after all, assumption of industrial risks by employers instead of employees is really a progressive step in legislation. The most natural objection to the new principle is that it would bring about an increase rather than a decrease in the number of accidents, inasmuch as workmen sure of being taken care of when injured, without expense to themselves, might become extremely careless about their work. Has such an increase actually taken place?

Effect upon the number of accidents.— The number of accidents reported has increased in every country of Europe, whether it possesses an accident insurance system, workmen's compensation acts, or employers' liability laws based on negligence. In England an enormous increase was remarked in 1895 — as a result of the passage of a new law concerning the reporting of accidents. In France the number of accidents reported increased at an amazing rate from 1893 to 1898, and yet when the new Compensation Act of 1898 went into effect in 1899, there was another great increase extending even to fatal accidents, and hence an unmistakable result of a more faithful record of accidents rather than an actual increase. In Switzerland when a census of accidents was made in 1888–1891, the number recorded increased each year; but on the other hand, the total number of days lost from work did not increase,— showing that in each successive year the number of accidents increased as the result of more faithful reporting of minor injuries.

And in Germany, where the new principle has been longest accepted, the statistics show that the number of serious accidents has remained nearly stationary in proportion to the number of workmen employed. The actual increase in the number of accidents in Germany and Austria, so frequently urged as an objection to the principle of compensation of all the injuries, is therefore due to a sharper control over the reporting or recording of the minor injuries on the one hand; and of the increasing knowledge of the benefits of the law among the workingmen, on the other hand. It is more than likely that the number of industrial accidents is actually increasing in all manufacturing countries as a result of the sharper competition and of the more intense application of workmen, of the higher speed of machines, of the introduction into workplaces of raw, untrained workmen as machine-tenders, of the assemblage of larger and larger numbers in one room or building, and of the increasing contact with dangerous substances.

And as to the means of preventing accidents, something can be said in favor of the German method of making employers collectively responsible for the compensation of injured workmen; for then the employers' associations can adopt and enforce regulations for the prevention of accidents, penalizing by an increased assessment those firms that neglect to use precautionary measures. On the other hand, Anglo-Saxon ideals of individual liberty would not permit the interference of rivals such as is implied in the inspection of manufacturing plants by men in the service of a mutual association of employers. In England or the United States such inspection would be permitted only to government officials, and few doubt that factory laws and factory inspection have in fact prevented hundreds and thousands of accidents. An

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excellent illustration is furnished by an English manufacturer in the following statement:

"What we call a 'serious accident' is an accident that has been followed by the man's absence from work for more than two weeks. What we call a 'factory accident' is one that must be reported to the Factory Inspector under the clause of the Act cited. All fatal accidents have to be reported to the Factory Inspector, and are therefore included in the number of factory accidents. These factory accidents are of course what can be lessened by additional care in instructions to foremen, by careful supervision, and by careful fencing of machinery; whereas the other accidents, such as falling off a plank, catching one's foot in a rope, or such like, are more or less of an unavoidable nature, and consequently you will notice that there is less reduction in these accidents than in the factory accidents."*

TABLE CXIV.

	Per thousand. First 4 years (1881–84).	Last 4 years (1893–96).	Average of 16 years (1881–96).
Factory accidents	13.35	5.98	8.64
Other accidents	9.02	7.44	8.33
Total serious accidents	22.37	13.42	16.97
Of which were fatal per 1,000 men employed			0.63

While, then, employers can prevent a certain proportion of accidents, it is probable that liability laws or compensation acts are less efficacious than factory laws, inspection and criminal process. Liability laws may make the employer more willing to allow his employees short hours, greater space, etc., and more careful in the selection of competent foremen and of such agents as will not make it their first aim in life to drive their men incessantly; compensation acts may make the employer more willing to expend money in fencing machinery and providing other safeguards, lest the accident insurance company raise its rates in his case precisely as fire insurance companies discriminate between "good" and "bad" risks; but the real counter-agent of the general tendency for accidents to increase in number is government inspection and swift punishment of failure to obey the factory law and regulations.

Litigation and expense.—The gravest objection to the law of negligence as a remedy for industrial accidents is the wastefulness and expensiveness of litigation attendant upon the effort to locate the responsibility for a given injury. It was this objection that probably weighed more than all others with the members of the British parliament when they decided to abandon the scheme of amending the negligence law in favor of an act requiring the compensation of all accidents. Now in Germany some 10,000 appeals are annually made to the Imperial Insurance Bureau from the decisions of the boards of arbitration. Does this indicate the failure of compensation acts?

While the number of cases appealed to the Insurance Bureau is probably greater than was expected, it only seems large when contrasted with the number of lawsuits under liability laws. In the latter case fully 80 per cent of the workmen injured have no case at all and never think of going to law; while the others face the prospect of a tedious and costly lawsuit. But in Germany the workmen may appeal from the awards of the employers' associations to boards of arbitration absolutely without expense; nevertheless only one-fifth of the awards are so appealed. And only five or six per cent of the awards are appealed to the court of last resort — the Imperial Insurance Bureau — where very few cases indeed are argued on the workmen's side by professional attorneys.

* *Transactions* of Manchester Statistical Society, 1897–8, page 305.

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This should be a sufficient answer to those who fear an increase in litigation. The returns from England for the first six months of the operation of the new law are very incomplete; but they indicate that an insignificant proportion of the cases are contested in the courts.*

Concerning expense, as between compulsory and voluntary insurance the former system makes far the more creditable showing,— and for this reason: it avoids the enormous amounts that competitive companies are obliged to pay out in commissions. Private companies in the United States (and Europe also) do not distribute 50 per cent of their receipts among their beneficiaries, whereas the trade associations of German employers distribute over 80 per cent. The expenses of management of the one amount to more than 50 per cent of the expenditures;† of the other, to perhaps fifteen per cent. Dr. Zacher makes the following comparison of costs between the German compulsory system and various private institutions:

TABLE CXVI.

COSTS OF MANAGEMENT.	Per cent of receipts.	Per cent of expenditures.
Germany (*Berufsgenossenschaften*)	11	15
England, trade unions	17	20
England, friendly societies	15	17
Commercial insurance companies	37–43	.....

It would not be safe to call the German associations more economical than the workingmen's societies, since in Germany the government furnishes the services of many of its employees (postoffice department, etc.) free; but it is clear they furnish insurance at less expense than do commercial companies.‡

IV. APPLICATION TO THE UNITED STATES.

Admitting the success of workmen's compensation acts in Europe and their adaptability to social and economic conditions in the European countries, do any adequate reasons exist why the workingmen of this country should not be accorded equal privileges by the law of the land?

I. Who shall assume the risk?—In Europe a strong argument in favor of making the employer compensate all accidents can be found in the alternative condition, that otherwise the financial burden will come upon the public treasury — i. e., the victims will require aid from the poorhouse or public hospital. Hence as Sir Matthew White Ridley declared in the course of the parliamentary debates: "The injured workman or his representative ought to have

**Reviser's note.*— Testimony taken by the Departmental Committee on Workmen's Compensation in 1903–4 has confirmed the foregoing statement. Thus the Cotton Trades Insurance Association had only one per cent of its cases in court, two leading railways had had only 1½ per cent of the claims arbitrated and in general the testimony of employers corroborated the trade union testimony that fully 95 per cent of the claims were settled out of court.

†The aggregate premiums received and losses paid by ten leading liability companies of the United States were as follows:

TABLE CXV.

	Premiums received.	Losses paid.
1894	$2,379,348	$1,063,884
1895	3,201,991	1,662,118
1896	3,752,401	1,970,945
1897	4,575,821	2,190,946
1898	5,491,950	2,494,796

Virtually the entire difference between receipts and losses paid consists of expenses of management and profits.

‡ Additional statistics and citations on this question are given by Dr. Zacher in his publications on *Die Arbeiterversicherung im Auslande*, VI (France), page 41, note 3, and in Conrad's *Handwörterbuch der Staatswissenschaften*, I Suppl., p. 912.

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a right to compensation at the expense, not of the rates or of public charity, but of the industry in which he is engaged."* But in the United States workmen are not so dependent upon the charity of others in case of misfortune; they receive higher wages and accumulate more property, which serves them well if they meet with an accident. Frequently they are able to take out insurance either with a commercial company or with a fraternal order or trade society. Such cases are, however, exceptional; and it is believed that the ability of the workers, taken altogether, to meet such financial disaster as disablement for life is now less than it was formerly, while the chance of such disaster occurring is now greater than ever. The problem, then, in the United States is this: Shall the class of people least able to stand financial loss be required to bear virtually the entire burden of industrial accidents, both physical and financial, or shall the financial losses be shared by the entire body of consumers? The answer does not seem doubtful.†

II. Is private initiative adequate?—Assuming that it is desirable that the entire community and not a special class bear the financial burdens entailed by industrial accidents, is it possible that the transfer can be accomplished through private initiative — through the accident insurance companies and mutual organizations of employers and employees? Much has been heard recently of the benefits of railway relief funds and similar so-called philanthropic projects. Few understand the real nature of those projects or the hostile attitude toward them of nearly all the thinking workingmen. They are probably never "voluntary" in fact, whatever their official title, and they are in reality simply an instrument for undermining the independence of the workmen. The funds are contributed almost entirely by the workmen, who nevertheless lose their claim to every cent of their money if they sever their connection with the company. Having in their posssion such substantial pledges or hostages from their employees, what is to hinder the company from reducing wages as much as it dares without doing violence to public opinion? Nor is that the only objection. These relief funds are also the instruments with which railway companies make their employees assume the burden of even the small proportion of accidents that the law of negligence places upon the employer; for they commonly serve as the pretext under which the workman is coerced into signing a contract releasing the company from its liabilities in return for the small contributions that the company makes to the funds.‡

In other instances, perfect sincerity and good will has been manifested by employers in contributing to accident funds administered by their employees. But there is absolutely no prospect of such funds or mutual associations becoming general. And the discouraging part of it all is that competition levels down and not up. The factory insurance fund can seldom be made to

* Parl. Debates (1897), vol. 48, page 1422.

† In this connection it may not be out of place to note that according to American law the employers in one industry now assume the risks of the industry in so far as temporary injuries are concerned. A shipowner must pay an injured seaman wages for the entire voyage and for his maintenance and cure (if the latter can be effected, either on shipboard or in a hospital, within the period for which he shipped), unless the accident was caused by the gross negligence of the injured seaman.

‡ Since the preparation of this Report a leading railway of the West has been obliged to abandon its projected Voluntary Relief Department in consequence of the united opposition of its employees. The attitude of the workmen has been clearly expressed in such journals as the *Railroad Trainmen's Journal* and *The Railway Conductor* for April, etc., 1900, as well as in the *Locomotive Engineer's Journal* in August and September, 1896. A complete statistical treatment of railway relief funds was contained in the *Bulletin* of the United States Department of Labor, 1897, II, 39–57.

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pay the employer in dollars and cents; it cannot therefore survive. The one thing required is that the law shall elevate the plane of competition to the standard of the high-minded employer. That can be done only by making all employers responsible for the accidents that occur among their employees.

III. The cost.—The vital question is expense. Can one state pass a compensation act without invading profits to such an extent as to drive away capital? This is a question that might require an extended investigation but for the historical tendency of a reform adopted in one state to be eagerly taken up by a neighboring state, until it has spread over the face of the entire country. Notwithstanding the outcry about the timidity of capital, New York and Massachusetts enacted law after law for the abolition of insanitary conditions, long hours and child labor in their factories. The right of private property was time and again invaded by the Legislature when it commanded employers to fence their machinery, to provide fire escapes, to dismiss their female employees after a stated number of hours of work, etc. And the courts sustained such legislation because "public policy" demanded it. The workmen's compensation act is part and parcel of such labor and factory legislation; once introduced in an American state, it would be quickly imitated in other commonwealths in obedience to the force of public opinion.

It is, however, possible to estimate the cost of liability or accident insurance in this country, upon the adoption of the principle of compensation of all accidents, by the rates now charged by the insurance companies on workmen's collective policies. The benefits allowed under the standard policy of this kind have already been noted; they cover all accidents of occupation to the employees of the establishment insured and include an allowance for temporary incapacity of one-half the usual weekly wages for not exceeding twenty-six weeks, and an indemnity in the event of death or total permanent disability (loss of both limbs or both eyes) equal to one year's wages. The benefits are not so liberal as those prescribed in the European compensation acts, which include full medical attendance and large indemnities in the case of death or total disability,—for instance two years' wages in Spain, three years' wages in England and five or six years' wages in Italy. The tariff of rates charged by American insurance companies provides for a surcharge of twenty per cent when policies allow full medical attendance; and if the death benefit were multiplied by two or three or five, the rates would undoubtedly be correspondingly advanced; although the inevitable increase of business and growth of competition would hardly permit an exactly proportionate rate of increase.

Supposing, however, that a law were passed requiring employers in specified dangerous industries to indemnify their workmen for every accident of occupation, according to the above-mentioned scale in the standard workmen's collective policy; the expense to employers of securing insurance against their new liabilities would not constitute so large an item among the costs of production as to handicap these employers in their competition with rivals in other states. Thus, the following table gives the rates charged by the American companies, per $100 of annual wages, for ordinary liability insurance and for workmen's collective insurance as already defined; the net charges, for an average of seven years, under the Austrian insurance system and the premiums* established by law for the French National Accident Insurance Bank for assuring the compensation prescribed in the workmen's compensation act of April 9, 1898:

* See *Bulletin* of the permanent committee of the Inter. Cong. of Accidents, X, 1899, pages 174–9.

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TABLE CXVII.

PREMIUMS CHARGED FOR ACCIDENT INSURANCE, PER $100 OF ANNUAL PAYROLL.

	UNITED STATES.		AUSTRIA.	FRANCE.
	Liability insurance policy.	Workmen's collective policy.	Charges under Law of 28 Dec. 1887, in years 1890–96.	Indemnities prescribed by Act of April 9, 1898.
Flour mills	$0 40	$1 25	$2 35	$3 79
Quarries	2 50	2 50	4 37	6 20
Ceramics.. Porcelain	25	1 00	1 06	0 32
Ceramics.. Brick and tile	40	1 50		*
Glass.... Plate	40	1 50	68	63
Glass.... Other	20	1 25		
Metals:				
Refining and reducing ores	....	....	2 12	3 26
Blast furnaces	92	50	....	3 51
Rolling mills	74	2 00	....	
Foundries	60	1 50	....	3 05
Hardware With motors	....	....	....	2 88
Hardware Without motors	40	1 25	....	2 20
Machines, tools, instruments, etc	....	....	1 76	3 21
Agricultural implements	50	1 00	....	2 83
Locomotives	74	1 50	†	5 68
Repair shops	60	1 25	....	2 69
Carriages and wagons	67	1 25	†	3 72
Ships.... Yard work	2 00	1 50	†	3 46
Ships.... Shop work	74	2 00		
Firearms	52	1 00	81	1 75
Chemicals and drugs	70	2 00	1 48	1 80
Gas works	60	1 50	1 15	1 93
Textiles	37½	1 00	50	....
Silk	30	1 00	17	25
Wool and other animal fibers	37½	1 00	52	79
Flax, hemp, jute, etc	37½	1 00	73	98
Cotton and shoddy	37½	1 00	60	82
Bleaching, dyeing, finishing	37½	1 00	66	99
Laces, embroideries, etc	30	1 00	21	28
Paper and cardboard	40	1 25	1 63	2 16
Woodworking	67	1 25	2 97	5 05
Saw and planing mills	1 25	3 00	....	5 02
Liquors	....	....	1 73	2 38
Breweries	40	1 50	....	2 87
Distilleries	50	1 50	....	2 08
Construction work	2 65‡	2 50‡	2 73	4 05
Building	....	....	3 84	5 61
Masons	2 65	2 50	....	4 32
Carpenters	2 00	2 50	....	9 75
Printing	20	1 00	25	45
Railways	2 00	None	....	1 45
Street railways (horse power)	70	1 25	1 73	1 97
Vehicle driving	....	....	2 79	....
Livery	....	....	....	1 52
Omnibus	....	....	....	3 65
Trucking	....	....	....	9 38
Warehouses	60	1 25	....	3 86

† All conveyances $1.70. * Mechanical, $2.81; non-mechanical, $1.45. ‡ A fair average.

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It will be seen that while the foreign rates of insurance are always higher, the difference is not sufficient to handicap manufacturers very seriously. To determine an average rate is rather difficult; but in Austria it was 1.55 per cent of wages for the seven years 1890–96, and in Germany for the twelve years 1886–97 1.23 per cent, while liability insurance in New York, so far as can be estimated, costs about fifty cents per $100 of wages.* Nearly all large concerns either carry liability insurance, or subsidize a provident society of their employees, or maintain special reserve funds to pay compensation in case of serious injuries. The expense of liability insurance in some one of these forms plus the amounts paid gratuitously by generous employers, would go a long way toward compensating all accidents, if the law prescribed such action for all employers. The machinery already exists for insuring employers against their responsibilities for making compensation; all that is needed is a law requiring adequate indemnification of injuries. The selfishness of some employers should not be permitted to nullify the willingness of other employers to do justly by their injured workmen. A workmen's compensation act would put all employers on the same level and would not therefore be opposed by the best class of employers.

And one step might well be taken by the state without waiting for additional information; it should never permit the letting of a contract for building or other public work that does not contain a clause requiring the indemnification, by the contractor, of all injuries sustained by his employees in the course of their employment, without respect to the question of negligence.

An able writer on workingmen's insurance has pointed out the backwardness of American legislation respecting the compensation of injuries to workmen, and the following quotation from his work will serve as an appropriate conclusion to this study:

> Step by step we have seen almost all of the European nations abandon the position that employees have no claim for damages except when they can prove negligence on the part of their employers, in favor of the one where their compensation by the employers should be compulsory in all cases except where they are wilfully and seriously at fault. The indemnication of injured workingmen has thus been made one of the normal items in the cost of operation, to be taken account of as any other charge. At the same time, the effort to enforce this system through the law courts has been abandoned, and the position taken that adequate and prompt compensation can only be secured where the amount of the compensation is determined in advance by a fixed scale of indemnities. It is only as thus organized, moreover, that employers are able to take account of the risks that they run, and provide against them by means of insurance.
>
> While this movement has been going on in Europe, the United States has stood practically still. Scarcely a beginning has been made towards modifying the unjust provisions of the old common law. It is quite beyond our field to attempt any description of the state of the law regarding employers' liability in the United States at the present time. The subject is one of great complexity, and here we are concerned with the principle rather than the details of legislation. It is sufficient to say that the United States are in the position where the injustice of the common law in respect to this question is more or less recognized, and attempts are being made to bring about a reform through legislation and judicial decisions. The states are thus still in that primitive stage where a solution is sought in the timid modification of the doctrine of common employment, or what constitutes negligence, and other subtilities of the law. They are thus attempting a method of reform long since abandoned by European nations as one which not only does not do justice to the workingman, but is thoroughly inadequate to solve the difficulties of the question. It would be

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*The 1,020 firms in New York that reported insurance paid $187,563 in premiums. Their total annual payrolls for the year ended June 30, 1899, was $48,975,360; but this was a larger sum than the payroll on which the premiums were actually calculated by the insurance companies, so that the expense of insurance may be estimated at about 50 cents per $100 of the annual payroll.

Reviser's note.—Much valuable information respecting the costs of the English Acts is afforded by the Reports of the Departmental Committee of 1903–4. It appears that the rates established by the insurance companies when the law went into effect in 1897 were found to be too high and in 1899 were reduced one-third. Under the revised schedule owners of quarries pay $1.20 on each $100 of wages per annum, general builders $1.00, etc. A mutual insurance association in the cotton trade found that one-sixteenth of one per cent was adequate for weaving and about one-fourth of one per cent for spinning.

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difficult to think of another field of social or legal reform in which the United States is so far behind other nations.

The most depressing feature of the situation lies in the fact that the very principles involved in this gradual evolution from the limited liability of employers to that of the compulsory indemnification by them of practically all injured employees, are as yet not even comprehended in the United States. Evidently it is useless to expect any decided legislation until the people generally are made to see the justness and correctness of the position for which we are contending, and which has so recently been assumed by Great Britain. The first step, therefore, consists in the education of public opinion. This once accomplished, legislation will inevitably follow.*

Recent Discussion in the United States.

In the nine years that have elapsed since the publication of the foregoing statement by Mr. Willoughby the "education of public opinion" has fairly begun. The Massachusetts Bureau of Statistics of Labor in 1900 published a special report on the "Insurance of Workingmen," and in 1904 the Wisconsin Bureau of Labor devoted a portion of its biennial report to a presentation of the principle of the new legislation, which has been urged by the chief executives of the nation and various states. Thus the Governor of Minnesota in his message to the Legislature in 1905, approved the doctrine, already accepted abroad, that "the industry should bear the risk and not the unfortunate workmen who are now daily deprived of the means of earning a livelihood" by bodily injuries sustained in the course of their employment; and in 1906, the President in his message to Congress, advocated a national law applying the doctrine to interstate carriers. President Roosevelt, elaborated his ideas on the subject in his address at the Jamestown Exposition, June 10, when he said:

"The great increase in mechanical and manufacturing operations means a corresponding increase in the number of accidents to the wage workers employed therein, these including both preventable and inevitable accidents. As the work is done for the employer, and, therefore, ultimately for the public, it is a bitter injustice that it should be the wage worker himself and his wife and children who bear the whole penalty.

"Legislation should be had, alike from the nation and from the states, not only to guard against the needless multiplication of these accidents, but to relieve the financial suffering due to them.

"Last winter Congress passed a safety-appliance law which marked a long stride in the right direction. But there should be additional legislation to secure pecuniary compensation to workmen suffering from accidents, and when they are killed to their families.

"The present practice is based on the view announced nearly seventy years ago, that 'principles of justice and good sense demand that a workman shall take upon himself all the ordinary risks of his occupation.' In my view, principles of justice and good sense demand the very reverse of this view,

* Willoughby, *Workingmen's Insurance*, pages 328–9.

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which experience has proved to be unsound and productive of widespread suffering. It is neither just, expedient, nor humane; it is revolting to judgment and sentiment alike, that the financial burden of accidents occurring because of the necessary exigencies of their daily occupation should be thrust upon those sufferers who are least able to bear it, and that such remedy as is theirs should only be obtained by litigation which now burdens our courts.

"As a matter of fact, there is no sound economic reason for distinction between accidents caused by negligence and those which are unavoidable, and the law should be such that the payment of those accidents will become automatic instead of being a matter for a lawsuit. Workmen should receive a certain definite and limited compensation for all accidents in industry, irrespective of negligence. When the employer, the agent of the public, on his own responsibility and for his own profit, in the business of serving the public, starts in motion agencies which create risks for others, he should take all the ordinary and extraordinary risks involved, and, though the burden will at the moment be his, it will ultimately be assumed, as it ought to be, by the general public.

"Only in this way can the shock of the accident be diffused, for it will be transferred from employer to consumer, for whose benefit all industries are carried on. From every standpoint the change would be a benefit. The community at large should share the burden as well as the benefits of industry. Employers would thereby gain a desirable certainty of obligation and get rid of litigation to determine it. The workman and the workman's family would be relieved from a crushing load.

"As a corollary to the above let me point out the extreme unwisdom of the railway companies in fighting the constitutionality of the national employers' liability law. No law is more emphatically needed, and it must be kept on the statute books in drastic and thoroughgoing form. The railroads are prompt to demand the interference and to claim the protection of the federal courts in times of riot and disorder, and in turn the federal government should see to it that they are not permitted successfully to plead that they are under the federal law when thereby their own rights can be protected, but outside of it when it is invoked against them in behalf of the rights of others.

"If it is proper for the federal courts to issue injunctions in behalf of railroads, it is proper that railroads should be held to a strict liability for accidents occurring to their employees. There should be the plainest and most unequivocal additional statement, by enactment of Congress, to the effect that railroad employees are entitled to receive damages for any accident that comes to them as an incident of the performance of their duties, and the law should be such that it will be impossible for the railroads successfully to fight it without thereby forfeiting all right to the protection of the federal government under any circumstances.

"In the same way there should be rigid federal legislation to minimize all railway accidents."

In the annual report which he transmitted to the Legislature on the second of January of this year, the Commissioner of Labor of New York argued in favor of the same principle saying:

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"Our law of compensation, as between employer and employee, is based upon the doctrine of negligence. If an employee is injured through his own negligence, he or his family suffers; if through the negligence of his employer, the latter suffers in damages. But an examination of our records shows that an overwhelming proportion of accidents in hazardous occupations in factories are either not due to the negligence of anyone, or are due to the fault of a fellow-servant, or to such quasi-negligence on the part of the workman injured as is really unavoidable and therefore not negligence at all. The first category may be illustrated by the numerous injuries caused by cinders and by practically unpreventable breakages of machinery. The second needs no illustration, but deserves the observation that in dangerous tasks or processes involving mutual coöperation the risks from this cause are extraordinarily heavy. The last is exemplified by the large number of serious accidents to persons engaged in hazardous tasks due solely to the fact that it is absolutely impossible for the most habitually careful persons to be *always* perfectly careful. Such accidents are not properly attributable to negligence, but to a hazard of the occupation. The principle of our law is that an employee assumes the inherent risks of his employment, and therefore that all hardships resulting from such accidents should fall upon the workmen and their families. Workingmen as a class are least able, and — speaking generally — are practically unable to make provision for themselves and families in case of accidental disablement or death. Therefore the consequences of the risks which the law says they have assumed and which presumably therefore they and their families should suffer would generally be absolute destitution, were it not for the fact that charity intervenes, and relatives, friends or the community at large assume the burden of relief. The question naturally arises; — why should the public pay this part of the cost of operating dangerous factories? There are many factories which — although operated with due care — turn out fairly regular quotas of killed and disabled workmen annually. Expressed somewhat brutally, these men are as much an item in the cost of production as machinery worn out or coal consumed. It seems obvious that that cost should be paid by the factory, and not by the public. The state might with unquestionable justice and propriety impose a license tax upon every dangerous factory, based upon the average number and seriousness of the accidents to its employees. If that proposition is sound, there should be no valid objection to profiting by the experience of other nations and in effect laying and applying such a tax in the form of compulsory insurance of employees. The number of prematurely disabled workmen and of the families of those killed or disabled in hazardous occupations is already seriously large, and with the growth of industry is increasing ominously. The question whether the principle of compulsory insurance should not be adopted to remedy their hard conditions must therefore soon arise in this country and in this state. I hope that the statistics which this Department is now gathering will materially aid in deciding that question rightly.

"The present tendency in this state seems to be to ameliorate the workman's position in case of accident by making employers liable for damages for injuries resulting from the negligence of fellow-workmen. Leaving aside the objections that it exposes employers to uncertain liabilities for negligence for

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which they are not morally responsible, that it imposes upon the state the expense of supplying the machinery for extensive litigation, and that in practice it diverts an unusually large proportion of the recoveries to attorneys, it is moreover in relation to workingmen vitally defective because it affords them no immediate or certain relief, and still leaves them to suffer unrelieved — except by charity — all the consequences of strictly industrial accidents not caused by negligence."

The participation of legislatures in the movement has thus far been limited to investigation, if exception be made of the coöperative insurance law enacted in Maryland in 1902 which provided for optional insurance in certain industries to secure release from additional liability imposed by the act upon employers, but was soon held unconstitutional by the courts. In 1904 a Massachusetts Committee on the Relations between Employer and Employee, made a unanimous recommendation in favor of the doctrine of *risque professionnel* and presented to the Legislature a draft bill, modeled on the British workmen's compensation act. In 1905 the Legislature of Illinois authorized the appointment of an Industrial Insurance Commission, which presented a report in March, 1907, recommending the enactment of an accident insurance law. The Commission's bill is reprinted below.

Both the Massachusetts and Illinois commissions included representative manufacturers and business men, who were as heartily in favor of the new doctrine as were the representatives of workingpeople. The bills also received support from many employers, whose farsighted and broadminded views are well illustrated in the following argument before the Illinois Legislature by Towner K. Webster, president of the Webster Manufacturing Company of Chicago.

"Every manufacturer figures that he will charge off so much a year for depreciation in buildings and tools. It is the most natural thing in the world that he should do so. His tools wear out in from ten to twenty years, and if he keeps them on the books all that time he is simply fooling himself, and if he keeps his buildings on his books without any depreciation, he is doing the same thing. So every manufacturer who wants really to prove out, charges off each year. Last year, I remember our balance sheet showed that we charged off something over $20,000. Do I go grumbling around and saying that it is an awful thing to thus charge off $20,000? Why, no; it is the depreciation. Now, friends, in God's name, why should we not allow for the depreciation in men? Is it a small thing that a man uses himself up in

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making our civilization, and so that we must not charge it off? We do know that for every thousand pounds of lead that we manufacture it costs somebody something. To the man who is breathing this poison into his lungs it costs something. Now, should he and his children bear all this burden, or shall we charge it all up against the industry? Let us add one-eighth of a cent a pound. Let us distribute it. Who will know it? And let us put it where it ought to be. Let us take other industries in the same way. We well know that in structural iron work the loss of life is fearful; that when contractors take out this liability insurance the cost is twelve percent on the pay roll. Now what is that twelve percent paid for? That brings me to another part of this discussion which seems to be unfair. That twelve percent goes to a liability insurance company of some kind to protect the manufacturer from being sued. That is where that money goes.

"What I am pleading for is that each industry should take care of the waste in men, that it should be distributed in the industries themselves. I believe that when it is presented to the American people, they will say it is just as fair and just as right to charge up every year the depreciation in machinery and in buildings, and that when we have done that we will have only done our duty toward the great body of laborers, and we will not pay out, in my judgment, a single cent more than we are paying now. We pay it all now just the same. Don't think for a minute that we are not paying it. We are paying it in the hospitals, in the poor houses, in the degradation, in the pulling down of all these people, where they are swept under and become the 'submerged tenth,' simply because we are not doing justice to them. Let us put upon every industry, if it is extra hazardous, that cost. Let us pay it as we should pay any honest bill."

The Bill of the Illinois Industrial Insurance Commission.

A Bill for an act to facilitate the insurance of employees against the consequences of accidents resulting in personal injury or death and to permit agreements between employers and employees with reference to such accidents.

Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That it shall be lawful for any employer to make a contract in writing with any employee whereby the parties may agree that the employee shall become insured against accident occurring in the course of employment which results in personal injury or death, in accordance with the provisions of this Act, and that in consideration of such insurance the employer shall be relieved from the consequences of acts or omissions by reason of which he would without such contract become liable toward such employee or toward the legal representative, widow, widower, or next of kin, of such employee.

§ 2. Such insurance shall be effected in some casualty insurance company, organized under the laws of the State of Illinois or admitted to do business in this State, provided that any employer employing not less than fifteen hundred (1500) employees may establish an insurance fund from sums contributed by himself and his employees, upon condition that he undertake and agree to make up any deficiency in insurance benefits that may arise out of the inadequacy of such fund. Such fund shall be inviolably appropriated as a trust fund for the purposes of such insurance, and shall not be invested otherwise than in accordance with the provisions of section 14 of an act to provide for the organization of mutual insurance corporations, approved May 16, 1905. Provision shall be made for the election by the insured employees of an advisory committee which shall be kept informed regarding the state of the insurance fund, and shall have the

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right to examine the books kept in connection therewith. Such books shall also be subject to the inspection of the insurance superintendent of the State in the same manner as the books of insurance companies doing business in this State.

Upon the request of the employer, or upon the request of the advisory committee, the Insurance Superintendent shall act as depositary of the securities in which any such fund may be invested.

If any employer desires to discontinue an insurance fund maintained by him, or if he discontinues his business without transferring the same to a successor or assign taking over and agreeing to maintain such fund, he shall notify the Insurance Superintendent of his purpose, who shall thereupon supervise the disposition of the insurance fund. Such fund shall be distributed among those equitably entitled to it according to their contributions (not taking into consideration expenses of the management), and where those entitled to any part of the fund cannot be discovered or ascertained, the moneys remaining unclaimed shall be paid into the insurance department to be held and disposed of as may be provided by law. The Insurance Superintendent shall be entitled to be paid out of such fund the reasonable expenses of his supervision including a compensation not to exceed ten dollars per day for the time of any person or persons (other than a salaried employee of his office) employed by him for the purpose of such supervision necessarily spent in connection therewith.

§ 3. Such insurance shall cover the risk of personal injury by accident arising out of and in course of the employment, resulting in death, provided death occur within twelve months from the time of such injury, or resulting in disability, whether the same be total or partial, permanent or temporary.

§ 4. The insurance in case of death shall be for the benefit of such persons, being the widow, widower, father, mother, grandfather, grandmother, stepfather, stepmother, son, daughter, grandson, granddaughter, stepson, stepdaughter, brother, sister, half-brother, or half-sister, as are dependent wholly or in part for their support upon the earnings of such employee (all of which persons are hereinafter designated as dependents of such employee, or of such of them as may be named in the contract or the policy to which it refers and the persons for whose benefit such insurance is made shall be bound by the agreement authorized by the first section of this Act.

§ 5. In order to satisfy the requirements of this Act the benefits payable under such insurance shall be at least as follows:

(i) In case of death.

(a) If the employee insures for the benefit of any dependents wholly dependent upon his wages at the time of his death, a sum equal to his wages in the employment of said employer during a period of three years next preceding the accident, but not less, in any case, than the sum of one thousand dollars, provided that the amount of any weekly payments made under such insurance or any lump sum paid in redemption thereof may be deducted from such sum, and if the period of the employee's employment by said employer has been less than said three years, then the amount of his earnings during the said three years shall be deemed to be one hundred and fifty-six times his average weekly earnings during the period of his actual employment by said employer.

If the employee insures for the benefit only of persons partly dependent upon his wages at the time of his death, then a sum equal to the payments provided for the benefit of persons wholly dependent less six times the average annual earnings, or if employed for less than a year, then less three hundred times the average weekly earnings of the said dependent person or persons partly dependent on his wages.

(c) If the employee leaves no dependents, then the reasonable expenses of his medical attendance shall be paid; and in addition, burial expenses not less than $75 nor more than $100 shall be paid.

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And the contract or the policy therein referred to may provide for the payment, instead of a lump sum, of a weekly sum which in the case of persons wholly dependent, shall not be less than the weekly payment in case of total disability hereinafter provided for, and which in the case of persons partly dependent shall not be less than the weekly payment in case of total disability, less the amounts earned by the persons partly dependent, and which sum may be divided between the dependents in such manner as such contract or policy may provide or as may otherwise be agreed upon; or such contract or policy may provide for a combination of lump sums and weekly payments, or for the substitution of one for the other.

(ii) In case of injury not resulting in death, where total disability results from the injury, a weekly payment during the period of such disability shall be paid to the insured, which shall not be less than 50 per cent. of his average weekly wages during the previous twelve months, if he has been so long employed by the contracting employer; if not, then a weekly benefit during the period of such disability which shall not be less than 50 per cent. of his average weekly wages during such shorter period as he has been in the employment of said employer.

(iii) In case of injury not resulting in death, where partial disability results, such weekly payment shall be made during the period of such partial disability as is equal to the difference between the weekly benefit payment during the period of total disability and the average amount which the injured person is able to earn after the accident. Loss by actual separation at or above the wrists or ankles of both hands or both feet, or of one hand and one foot, or the irrevocable loss of both eyes shall be deemed to be equal to total disability; the loss by actual separation at or above the wrist or ankle of one hand or one foot shall be equal to one-half of total disability; and the loss of one eye shall be equal to one-fifth of total disability. Total disability shall be deemed to mean inability to carry on any gainful occupation.

The contract or the policy herein referred to may provide that no benefits shall be paid in case of any injury which does not incapacitate the employee for a period of at least one week from earning full wages at the work at which he was employed at the time of the accident.

§ 6. Any contract, in order to satisfy the requirements of this Act, shall provide that the employer shall contribute not less than 50 per cent. of the insurance premiums and the employees shall contribute the remainder of the premiums. In case the employer provides any insurance fund out of contributions made by himself and his own employees as above provided, such employer shall pay the whole of the expenses of the management of such fund and all contributions shall be paid into such fund without any deduction by reason of such expense.

§ 7. The contract may provide that upon penalty of forfeiture of the benefits of the insurance the employee shall give reasonable and timely notice to his employer, to be fixed by the terms of the contract, of any accident which may entitle him to the benefits of such insurance, and that he shall submit himself to medical examination as required by the employer at the employer's expense.

§ 8. The contract may provide that the premium payable by the employees shall be deducted from their wages. An employer who shall wilfully and feloniously appropriate the amounts so deducted from the wages to any use other than the payment of insurance premiums as stipulated in the contract, shall be guilty of embezzlement, and shall be punished accordingly.

§ 9. The contract between the employer and employee may provide that the insurance premiums shall be paid into the hands of a treasurer to be elected or appointed by the employees or by the employer and the employees in such manner and under such voting arrangements as the contract may specify. The payment of the premiums to the treasurer shall relieve the employer, and the penalty above prescribed for misappropriation of the funds required to be applied to insurance shall apply to such treasurer.

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§ 10. In case of nonpayment of the premiums within one month after the same are payable, the insurance company shall within two months after the expiration of such month send notice of such default by mail to the insured and to the insurance superintendent of the State. The insurance policy or the contract between the employer or employee may specify a shorter period than the one herein provided for. Until the required notice shall have been sent, the policy shall not be forfeited for nonpayment of the premium.

§ 11. The employer may also advance the premiums of insurance for such number of employees and at such rates as may be agreed upon between him and the insurance company, and may thereupon be supplied by the insurance company with blank policies to be filled in by him with the name of any beneficiary under the provisions of this Act and to be executed by him as agent of such company; and he may thereupon reimburse himself for the amounts payable by the employee by deducting the same from the wages of such employee.

§ 12. Such contract may provide that upon termination of his employment, from any cause whatever, the employee and his dependents shall cease to be entitled to the benefits of such insurance except as regards accidents occurring before the termination of his employment.

§ 13. Such contract may provide that any controversy regarding the extent of disability or the extent of dependency, or any controversy between dependents as to the amounts payable to them respectively, shall be settled by arbitration, the arbitrators to be named by the mutual consent of the parties, and should the parties fail to agree upon an arbitrator, then the arbitrator to be named by a judge of the circuit court of the county in which the accident happened, and the award of such arbitrator shall be binding upon both the employer and the employee or his dependents as the case may be.

§ 14. Any insurance paid in accordance with the provisions of this Act shall not be liable to attachment by trustee, garnishee, or other process, and shall not be siezed, taken, appropriated or applied by any legal or equitable process, or by operation of law, to pay any debt or liability of the insured or any beneficiary, nor shall any claim to insurance money be assignable by the payee before the same is paid.

§ 15. A contract for insurance in pursuance of the terms of this Act shall not relieve the employer from liability for any accident due to his failure to comply with the lawful directions of any competent administrative authority given in the interest of the safety of employees, unless it shall have been impossible to carry out such directions by the time that the accident happened, or unless the enforcement of such directions has been suspended by the order of a court of competent jurisdiction.

§ 16. Every employer shall file with the Insurance Superintendent a copy of the form of contract and policy which he shall use under the provisions of this Act and in the event of such form being departed from in any particular case, shall also file a copy of such particular contract. If he shall fail to do so he shall be liable to a penalty of $50.00, in each case to be recovered in an action of debt in the name of the people of the State.

§ 17. A quarterly report of all settlements and payments of insurance benefits shall be filed by the employer with the Insurance Superintendent. If such employer shall fail to make such report in thirty days after demand by the Insurance Superintendent, he shall be liable to a penalty of $50.00, to be recovered in an action of debt in the name of the People of the State.

§ 18. The Insurance Superintendent shall prepare blanks of contract and policies complying with the provisions of this Act and shall distribute the same upon application free of charge.

§ 19. Nothing in this Act contained shall be construed as authorizing any employer and any officer or agent of such employer to require any employee or any person seeking employment as a condition of such employment or of the continuance of such employment, to enter into a contract, or to continue in such contract, such as is authorized to be made by section 1 of this Act.

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Recent Statistics of Accident Insurance in Germany.

The three branches of the national insurance system of Germany, in the order of their establishment, are sickness, accident and infirmity (invalidity and old age) insurance. The accident statistics are, however, complicated by the fact that minor accidents, resulting in disablement for a shorter period than three months, are not compensated from the accident insurance funds at all, but are treated as cases of sickness.

In 21 years the funds raised under the compulsory insurance system have aggregated $1,750,000,000, of which the employers have contributed 45 per cent, the workmen and other insured persons 41 per cent and the government 5 per cent, while the remaining 9 per cent came from interest on accumulated funds, etc.*

In the same period the expenditures have been $1,400,000,000 (5,627,416,847 marks), of which $130,000,000 (520,049,584 marks), or less than 10 per cent, were used in operating expenses, the remainder having gone directly to the beneficiaries in the form of benefits, annuities, pensions, etc. In the accident insurance system alone the administrative expenses were 15 per cent of the total expenditures, which is a very low ratio in comparison with ordinary insurance companies. In the manufacturing and building industries, the cost of management in 1905 figured to 25 cents per person insured, 1¼ marks (30 cents) per 1,000 marks of wages, and 21 marks per accident.

*The following table exhibits the receipts and expenditures of each branch of the insurance system from the several sources mentioned; amounts are given in the German mark, which is equivalent to 23.8 cents:

	Insurance Against—				
Contributors.	Sickness (1885–1905).	Accident (1885–1905).	Infirmity (1891–1905).	Total.	
Employers....	911,900,732	1,475,922,656	910,334,798	3,298,158,186 =	45%
Workmen....	2,081,434,626	.....	910,334,798	2,991,769,424 =	41%
Government..	.....	.....	386,826,214	386,826,214 =	5%
Interest, etc..	148,460,417	195,642,512	324,102,875	668,205,804 =	9%
Total....	3,141,795,775	1,671,565,168	2,531,598,685	7,344,959,628 =	100%
Expenditures.					
Administrative expenses....	169,105,822	219,055,200	131,888,562	520,049,584	
Indemnities...	2,751,291,038	1,193,906,302	1,162,169,923	5,107,367,263	
Total.....	2,920,396,860	1,412,961,502	1,294,058,485	5,627,416,847	
Accumulated funds.....	226,106,493	258,603,666	1,237,540,200	1,722,250,359	

—*Statistisches Jahrbuch für das Deutsche Reich*, 1907.

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The number of persons insured against accident can not be precisely stated, because there is inevitably some duplication of those who change their occupation, as do laborers on farms, construction work, etc. The aggregate of the persons insured in the various branches in 1905 was 20,242,512, and the government authorities estimate the number counted twice at 1½ million. Even then the number insured exceeds the number of wage earners, owing to the fact that large numbers of salaried workers and small proprietors (working on their own account but employing no workmen) are insured. There is no obligation to be insured resting on employees earning more than 3,000 marks ($714) per annum.

The accompanying tables contain the more important statistics concerning industrial accidents in Germany. It will be observed that the number of accidents has increased relatively as well as actually. The superficial explanation of the increase would be growing carelessness on the part of the workmen, but this explanation is not borne out by a careful analysis of the statistics. The more exact statistics of the 66 trade associations which embrace virtually all the workmen outside of agriculture and forestry and the government railway service and navy yards, show that the relative number of workmen killed or disabled for life has been decreasing in the last four or five years. The ratio of minor injuries has increased in Germany as it has in other countries that make increasing use of machinery.

The expenses of the accident insurance system in 1905 were 175,594,500 marks ($44,000,000) and the receipts 178,965,632 marks, of which 157,822,737 marks were derived from assessments on the employers and the remainder from interest on reserves, etc. Data as to wages are given only for the 66 industrial associations outside of agriculture and government works and in these associations the employers were assessed 117,700,000 marks ($29,000,000) on a total payroll of 6,996,660,700 ($1,749,000,000); that is to say they paid an average of $17 for each $1,000 expended in wages in 1905. Each trade association is charged only with its own accidents, but it can penalize those of its members who refuse or neglect to follow out its regulations for the prevention of accidents by augmenting their premiums above the regular assessment. The assessments naturally vary from one industry to another, being very low in the tobacco trade associations and relatively high in mining, vehicle driving, etc.

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GERMAN ACCIDENT STATISTICS. *

1. ALL BRANCHES OF THE COMPULSORY ACCIDENT INSURANCE SYSTEM.

YEAR.	Number of names on insurance-rolls.†	Number of persons injured.	Number of accidents per 1,000 names.	ACCIDENTS INDEMNIFIED (*i. e.*, SUCH AS ENTAILED DISABLEMENT FOR AT LEAST THREE MONTHS).			
				Total number.	Fatal.	Permanent disability.	Number of survivors or dependents.
1886....	3,725,313	100,159	27.6	10,540	2,716	1,778	5,935
1887....	4,121,537	115,579	28.0	17,102	3,270	3,166	7,083
1888....	10,343,678	138,059	‡13.3	21,236	3,692	2,216	7,764
1889....	13,374,566	174,874	13.0	31,449	5,260	2,908	10,594
1890....	13,619,750	200,001	14.7	42,038	6,047	2,708	11,337
1891....	18,015,286	224,337	12.5	51,209	6,428	2,595	12,837
1892....	18,014,280	236,265	13.1	55,654	5,911	2,664	11,835
1893....	18,118,850	264,130	14.6	62,729	6,336	2,507	12,763
1894....	18,191,747	282,982	15.6	69,619	6,361	1,784	12,296
1895....	18,389,468	310,139	16.9	75,527	6,448	1,706	12,800
1896....	17,605,190	351,789	20.0	86,403	7,101	1,547	13,953
1897....	17,947,447	382,117	21.3	92,326	7,416	1,507	14,644
1898....	18,246,013	407,522	22.2	98,023	7,984	1,139	16,004
1899....	18,604,124	443,313	23.8	106,036	8,124	1,326	16,076
1900....	18,892,891	454,341	24.1	107,654	8,567	1,390	17,216
1901....	18,866,712	476,260	25.2	117,336	8,501	1,446	17,324
1902....	19,082,758	488,707	25.6	121,284	7,975	1,435	16,924
1903....	19,465,422	530,507	27.3	129,375	8,370	1,538	18,587
1904....	19,876,055	583,965	29.4	137,673	8,752	1,604	19,100
1905....	20,242,512	609,160	30.1	141,121	8,928	1,487	19,086

* Atlas und Statistik der Arbeiterversicherung des Deutschen Reichs (Supplement to Reichs-Arbeitsblatt, June, 1904); Statistisches Jahrbuch für das Deutsche Reich, 1907.

† The number of persons insured is considerably smaller owing to unavoidable duplications.

‡ Ratio reduced in 1888 by extension of the law to agriculture, etc.

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2. INDUSTRIAL OR TRADE ASSOCIATIONS (66), EXCLUSIVE OF AGRICULTURE AND GOVERNMENT WORKS (RAILWAYS).

YEAR.	Number of persons insured.	Number injured.	INDEMNIFIED INJURIES.				
			Total number.	Fatal.	PERMANENT DISABILITY.		Temporarily disabled (more than three months).
					Complete.	Partial.	
			(a) Actual numbers.				
1886	3,473,435	92,319	9,723	2,422	1,548	3,780	1,973
1887	3,861,560	106,001	15,970	2,956	2,827	8,126	2,061
1888	4,320,663	121,164	18,809	2,943	1,886	10,270	3,710
1889	4,742,548	139,549	22,340	3,382	2,331	12,788	3,839
1890	4,926,672	149,188	26,403	3,597	1,869	16,109	4,828
1891	5,093,412	162,674	28,289	3,634	1,570	17,481	5,604
1892	5,078,132	165,003	28,619	3,282	1,507	18,049	5,781
1893	5,168,973	182,120	31,171	3,589	1,377	19,740	6,465
1894	5,243,985	190,744	32,797	3,438	855	20,025	8,479
1895	5,409,218	205,019	33,728	3,644	780	19,312	9,992
1896	5,734,680	233,319	38,538	4,040	595	20,251	13,652
1897	6,042,618	252,382	41,746	4,252	625	21,247	15,622
1898	6,316,834	270,907	44,881	4,613	538	22,348	17,382
1899	6,658,571	298,918	49,175	4,772	581	23,837	19,985
1900	6,928,894	310,105	51,697	5,108	592	24,790	21,207
1901	6,884,076	319,576	55,525	4,979	595	26,158	23,793
1902	7,100,537	326,566	57,244	4,572	605	26,680	25,387
1903	7,466,484	356,202	60,550	4,720	621	27,427	27,782
1904	7,849,120	392,658	65,205	4,976	603	28,868	30,758
1905	8,195,732	414,445	68,360	5,154	572	29,423	33,211
			(b) Ratio of injuries to each 1,000 persons insured.				
1886	.....	27.4	2.89	0.70	0.46	1.13	0.59
1887	.....	27.5	4.14	0.77	0.73	2.11	0.53
1888	.....	28.0	4.35	0.68	0.43	2.38	0.86
1889	.....	29.4	4.71	0.71	0.49	2.70	0.81
1890	.....	30.3	5.29	0.72	0.37	3.23	0.97
1891	.....	31.9	5.55	0.71	0.32	3.42	1.10
1892	.....	32.5	5.64	0.65	0.30	3.55	1.14
1893	.....	35.2	6.03	0.69	0.27	3.82	1.25
1894	.....	36.37	6.25	0.65	0.16	3.82	1.62
1895	.....	37.90	6.24	0.67	0.15	3.57	1.85
1896	.....	40.69	6.72	0.71	0.10	3.53	2.38
1897	.....	41.77	6.91	0.70	0.10	3.52	2.59
1898	.....	42.89	7.10	0.73	0.08	3.54	2.75
1899	.....	44.89	7.39	0.72	0.09	3.58	3.00
1900	.....	44.76	7.46	0.74	0.08	3.58	3.06
1901	.....	46.42	8.07	0.72	0.09	3.80	3.46
1902	.....	45.99	8.06	0.64	0.08	3.76	3.58
1903	.....	47.70	8.11	0.63	0.08	3.68	3.72
1904	.....	50.02	8.31	0.63	0.08	3.68	3.92
1905	.....	50.57	8.34	0.63	0.07	3.59	4.05

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INTERNATIONAL LABOR STATISTICS.

Numerical Strength of Trade Unions at Home and Abroad.

In the following pages appear the latest statistics available concerning trade unions in the principal countries which are included in the summary table below with other countries not represented among the special articles:

COUNTRY.	Date.	Source of information.	Aggregate membership.
*United States and Canada	1907	Estimated	2,300,000
*Germany	(Av'ge) 1906	Unions	2,215,165
*Great Britain and Ireland	Jan. 1, 1906	Government	1,887,823
France	Jan. 1, 1906	Government	836,134
*Austria	Jan. 1, 1907	Unions	448,270
*Italy	1906–7	Government	426,184
New York	April, 1907	Government	414,718
*Hungary	Jan. 1, 1907	Unions	153,332
*Belgium	Jan. 1, 1906	Unions	148,483
*Sweden	Nov., 1906	Unions	126,272
Australia	Jan. 1, 1904	Government	100,626
Denmark	Jan. 1, 1907	Unions	99,052
Switzerland	1906	Unions	57,300
Netherlands	1904	Unions	37,721
Spain	March, 1906	Unions	36,557
New Zealand	1904	Government	27,714
*Norway	Jan. 1, 1907	Unions	25,000

For several countries no recent data are available, although this applies rather to the smaller countries; of the larger countries, however, the latest figures published by the government are those for December 31, 1904, which were summarized in the BULLETIN of September, 1906. The Australian figures for 1904 pertain only to *registered* trade unions, which include but a minority of unionists in Victoria and the colonies that have not established compulsory arbitration.

The figures for the United States and Canada are crudely estimated. At the period of largest expansion two or three years ago, union leaders claimed a membership of 2½ million in this country. While the membership has fallen off in numbers since, it is probable that the aggregate still remains larger than that of Germany, which has now outstripped England, the mother of Trade Unionism.

*See special article on a subsequent page.

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AMERICAN LABOR ORGANIZATIONS.

The membership of trade unions in the United States can only be stated approximately, as there are numerous organizations that publish no figures and many others claim no accuracy for the figures that they do publish; even the American Federation of Labor does not obtain accurate reports as to the membership of the affiliated national unions. The only figures published by the Federation are those showing the voting strength of the affiliated unions, which is based on the average number of members paying per capita tax to the Federation. This naturally prevents overstatement and some unions prefer to make very conservative returns. Thus the iron molders' union which according to its official journal of May, 1906, had 90,692 members, is credited in the Federation returns for the year ended September 30, 1906, with a membership of 45,000. Taking the figures as reported, however, and estimating the membership of certain other organizations which publish no figures, the following totals are arrived at:

I. American Federation of Labor		*1,444,200
II. Railway employees:†		
Carmen, and clerks (estimated)	30,000	
Conductors	36,500	
Engineers (1907)	52,340	
Firemen	58,849	
Trainmen	83,807	
		261,500
III. Other national unions‡		150,000
IV. Knights of Labor and other general organizations or federations		115,000
		1,970,700

These figures do not indicate the absolute strength of organized labor in the United States, but are useful in making comparisons with previous years. The total is somewhat smaller than that of 1905. While in this State the effects of the trade depression of 1903–4 were felt by the labor organizations in 1904 and 1905, with a recovery in 1906, in the country at large, the gains made by the trade unions in 1906 were virtually canceled by the losses; the American Federation of Labor, in fact, sustained a net loss of 50,000 in its average membership for the year, although its receipts were larger than in 1905, thus:

*Includes members in Canada.

†Four unions of railway employees are affiliated with the Federation, namely, the car workers, switchmen, telegraphers and trackmen (see table on following page).

‡Including the box makers and sawyers, bricklayers and masons, marine engineers, glass blowers, letter carriers, miners (Western Federation), plasterers, stone cutters, stone masons

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YEAR.	Charters Issued.				Gains in membership.*	Net gain in membership.†	Total membership.†	National unions affiliated.	Receipts.	Expenditures.
	National unions.	State and city federations.	Local unions.	All organizations.						
1897....	8	20	189	217	62,292	$7,490	264,825	55	$18,640	$19,114
1898....	9	12	182	203	34,280	14,791	278,016	67	18,894	19,197
1899....	9	36	405	450	141,390	71,406	349,422	73	36,757	30,591
1900....	14	101	734	849	300,446	198,899	548,321	82	71,126	68,373
1901....	7	127	782	916	361,410	239,216	787,537	87	115,221	118,708
1902....	14	138	877	1,024	283,827	236,862	1,024,399	97	144,498	119,087
1903....	20	174	1,139	1,333	615,731	441,401	1,465,800	113	247,803	196,016
1904....	11	104	328	443	253,485	209,600	‡1,675,400	120	220,996	203,991
1905....	3	68	216	287	38,326	$181,100	1,494,300	118	207,418	196,170
1906....	6	57	254	317	73,473	$50,100	1,444,200	119	217,815	218,540

More charters were issued in 1906 than in 1905, and the indications all point to a resumption of the activity which attained its height in 1903 when 1,333 charters were issued and the receipts aggregated $247,803 as compared with $217,815 last year. Of the larger unions affiliated with the Federation the carpenters alone chronicled distinct gains in 1906, when they reported an average monthly membership of 163,700 (as against 143,200 in the previous year.) They still rank second, however, to the United Mine Workers who had 237,900 members (261,900 in the preceding year). The painters paid per capita taxes on a membership of 55,500 and the retail clerks and the machinists on 50,000 each. The iron molders were next with 45,000 members, followed by the compositors with 43,800 members, the teamsters with 40,200 (78,300 in 1905) and the cigarmakers with 39,100. The figures for all unions in the last three years are given in the following table:

NATIONAL UNIONS AFFILIATED WITH THE AMERICAN FEDERATION OF LABOR.

NAME OF ORGANIZATION	Average monthly membership reported.		
	1904.	1905.	1906.
American Federation of Labor—local unions.....	55,300	28,600	24,500
Actors' Nat'l Protective Union of America.....	1,100	1,000	1,100
Bakery and Confectionery Workers' International Union of America	16,200	12,000	10,600
Barbers' Int'l Union, Journeymen.....	23,600	22,700	23,100
Bill Posters and Billers of America, Nat'l Alliance.	1,300	1,400	1,400
Blacksmiths, Int'l Brotherhood of.....	10,500	10,000	8,200
Blast Furnace Workers and Smelters of America, Int'l Association of.....	1,500	1,500	†

*Neglecting losses.
†The membership represents the number of members paying dues to the A. F. of L. averaged for the twelve months ending October 31, each year, 1897 to 1901, and September 30, in 1902–6.
‡The official figures for 1904 were 1,676,200, but they involve the duplication of the slate quarrymen's union with 800 members.
§Loss.
† Disbanded.

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NATIONAL UNIONS AFFILIATED WITH THE AMERICAN FEDERATION OF LABOR — (*Continued*).

NAME OF ORGANIZATION	Average monthly membership reported. 1904.	1905.	1906.
Boiler Makers and Iron Ship Builders of America, Brotherhood of	19,000	13,400	12,800
Bookbinders, Int'l Brotherhood of	6,500	6,600	6,800
Boot and Shoe Workers' Union	32,000	32,000	32,100
Brewery Workmen, Int'l Union of United	30,500	34,000	36,000
Brick, Tile and Terra-Cotta Workers' Alliance, Int'l.	7,300	4,100	6,400
Bridge and Structural Iron Workers, Int'l Ass'n of.	11,500	10,000	10,000
Broom and Whisk Makers' Union, Int'l	1,100	1,000	1,000
Brushmakers' International Union	700	700	500
Building Employees of America, Int'l Union	800	**	**
Cap Makers of N. Amer., United Cloth Hat and	2,900	2,600	2,100
Carpenters and Joiners, Amalgamated Society of	5,000	4,800	4,300
Carpenters and Joiners of America, United Bro. of	155,400	143,200	163,700
Carriage and Wagon Workers, Int'l	5,500	3,200	3,100
Car Workers, Int'l Association of	10,200	5,000	4,900
Cement Workers, American Bro. of	4,400	3,600	4,200
Chainmakers' Nat'l Union of the U. S. of America.	600	600	600
Cigarmakers' Int'l Union of America	40,500	41,400	39,100
Clerks' Int'l Protective Association, Retail	50,000	50,000	50,000
Clerks, Int'l Association of Railway	600	†	†
Compressed Air Workers Union, Int'l	1,200	1,200	1,300
Coopers' Int'l Union of North America	7,100	5,600	5,500
Curtain Operatives of America, Amalgamated Lace.	600	700	800
Cutting Die and Cutter Makers, Int'l Union of	.....	300	300
Electrical Workers of America, Int'l Bro. of	21,000	21,000	21,000
Elevator Constructors, Int'l Union of	2,200	2,200	2,200
Engineers, Int'l Union of Steam	17,600	17,500	17,500
Expressmen of America, Bro. of Railway	300	†	†
Firemen, Int'l Bro. of Stationary	18,000	12,200	12,300
Flour and Cereal Mill Employees, Int'l Union of	2,100	900	700
Foundry Employees, Int'l Bro. of	1,000	1,000	1,000
Freight Handlers and Warehousemen's Int'l Union of America, Interior	3,300	3,400	3,200
Fur Workers of the U. S. and Canada, Int'l Ass'n of.	300	400	400
Garment Workers of America, United	45,700	31,900	24,000
Garment Workers' Union, Int'l Ladies'	2,200	1,800	1,300
Glass Bottle Blowers' Ass'n of U. S. and Canada	6,600	7,000	7,800
Glass House Employees, Int'l Association	600	200	200
Glass Snappers' Nat'l Protective Association of America, Window	1,100	1,200	1,000
Glass Workers' Int'l Association, Amalgamated	1,700	1,700	1,600
Glass Workers of America, Amalgamated Window.	.....	.....	5,800
Glove Workers' Union of America, Int'l	2,000	1,100	800
Gold Beaters' Nat'l Prot. Union of Am., United	300	300	300
Granite Cutters' Int'l Ass'n of America	9,900	10,300	11,300
Hatters of North America, United	8,500	8,500	8,500
Hod Carriers' and Building Laborers' Union of America, International	8,500	4,700	5,000
Horseshoers of United States and Canada, International Union of Journeymen	4,200	4,200	4,100
Hotel and Restaurant Employees' Int'l Alliance and Bartenders' Int'l League of America	49,400	38,700	34,500

* Withdrawn.
† Disbanded.
‡ Suspended.
§ Amalgamated with machinists.
** Charter revoked.

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NATIONAL UNIONS AFFILIATED WITH THE AMERICAN FEDERATION OF LABOR — (*Continued*)

NAME OF ORGANIZATION	Average monthly membership reported. 1904.	1905.	1906.
Insulators and Asbestos Workers of America, Nat'l Association of Heat, Frost and General	700	300	500
Iron, Steel and Tin Workers, Amalgamated Ass'n of	13,500	10,000	10,000
Jewelry Workers' Union of America, Int'l	2,400	700	400
Knife Grinders' Nat'l Union, Table	300	300	300
Knife Blade Grinders' and Finishers' Nat'l Union, Pocket	.....	200	300
Lathers, Int'l Union of Wood, Wire and Metal	5,900	4,300	4,000
Laundry Workers' Int'l Union, Shirt, Waist and	6,500	4,600	5,500
Leather Workers on Horse Goods, United Bro. of	4,600	4,000	4,000
Leather Workers' Union of America, Amalgamated	2,500	1,000	1,000
Lithographers' Int'l Protective and Beneficial Ass'n of the U. S. and Canada	.....	.....	3,000
Longshoremen's Association, Int'l	50,000	47,800	34,000
Machinists, Int'l Association of	55,700	48,500	50,000
Maintenance of Way Employees, Int'l Bro. of	12,300	12,000	12,000
Marble Workers, Int'l Association of	600	1,900	1,700
Mattress, Spring and Bedding Workers' Int'l Union	1,500	1,500	†
Meat Cutters and Butcher Workmen of North America, Amalgamated	34,400	6,200	5,000
Metal Mechanics, Int'l Association of Allied	7,000	§	§
Metal Polishers, Buffers, Platers and Brass Workers' Int'l Union of North America	12,800	10,300	10,000
Metal Workers' Int'l Union, United	9,600	**	**
Mine Managers and Assistants' Mutual Aid Association, Nat'l	400	400	400
Mine Workers of America, United	257,700	261,900	237,900
Molders' Union of North America, Iron	30,000	30,000	45,000
Musicians, American Federation of	22,000	30,800	35,400
Oil and Gas Well Workers, Int'l Bro. of	400	400	†
Painters, Decorators and Paperhangers of America, Brotherhood of	60,700	54,200	55,500
Paper Box, Bag and Novelty Workers' Int'l Union	1,200	900	700
Paper Makers of America, United Bro. of	8,800	5,000	3,500
Pattern Makers' League of North America	3,700	3,600	4,000
Pavers and Rammermen, Int'l Union of	.....	1,000	1,200
Paving Cutters' Union of U. S. and Canada	1,200	1,300	1,500
Photo-Engravers' Union of North America, Int'l	1,700	2,200	2,200
Piano and Organ Workers' Union of America, Int'l	9,900	9,000	8,000
Pilots' Protective Ass'n of the Great Lakes, Lake	.....	.....	1,000
Plumbers, Gas Fitters, Steam Fitters and Steam Fitters' Helpers of the U. S. and Canada, United Association of	16,500	15,000	15,000
Potters, Nat'l Bro. of Operative	5,800	5,600	5,600
Powder and High Explosive Workers of America, United	700	500	600
Print Cutters' Association of America, Nat'l	300	400	400
Printers and Color Mixers of the United States, National Association of Machine	400	400	500
Printers' Association of America, Machine Textile	400	400	400

* Withdrawn.
† Disbanded.
‡ Suspended.
§ Amalgamated with machinists.
** Charter revoked.

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NATIONAL UNIONS AFFILIATED WITH THE AMERICAN FEDERATION OF LABOR — (*Concluded*)

NAME OF ORGANIZATION	Average monthly membership reported. 1904.	1905.	1906.
Printers' Union of North America, Int'l Steel and Copper Plate	1,000	1,100	1,200
Printers, International Brotherhood of Tip	200	200	200
Printing Pressmen's Union, International	16,000	17,000	16,600
Quarry Workers' Int'l Union of North America	2,600	3,600	3,800
Roofers' Union of America, Int'l Slate and Tile	700	600	500
Rubber Workers' Union of America, Amalgamated	200	100	†
Saw Smiths' Nat'l Union	300	300	300
Seamen's Union of America, Int'l	20,100	19,500	19,400
Sheet Metal Workers' Int'l Alliance, Amalgamated	15,300	13,000	12,900
Shingle Weavers' Union of America, Int'l	1,400	1,600	1,700
Shipwrights, Joiners and Calkers of America, National Union of	3,400	2,400	2,000
Slate Workers, International Union of	800	900	1,800
Spinners' Association, Cotton Mule	2,500	2,200	2,200
Steam and Hot Water Fitters and Helpers of America, Int'l Ass'n of	.....	.....	5,400
Steel Plate Transferers' Ass'n of America	.....	.....	100
Stereotypers' and Electrotypers' Union of North America, International	2,400	2,800	2,800
Stove Mounters' International Union	1,700	1,500	1,500
Street and Electric Railway Employees of America, Amalgamated Association of	30,000	30,000	30,000
Switchmens' Union of North America	.....	.....	8,100
Tack Makers' Int'l Union	200	200	†
Tailors' Union of America, Journeymen	15,900	16,000	16,600
Teamsters, International Brotherhood of	84,000	78,300	40,200
Telegraphers, Order of Railroad	15,000	15,000	15,000
Telegraphers' Union of America, The Commercial	2,000	2,000	2,000
Textile Workers of America, United	10,500	10,000	10,000
Theatrical Stage Employees' Int'l Alliance	5,000	5,500	6,000
Tile Layers and Helpers' Union, International Ceramic, Mosaic and Encaustic	1,700	1,400	1,900
Tin Plate Workers' Protective Ass'n of America, Int'l	1,600	1,400	1,400
Tobacco Workers' International Union	5,600	5,400	5,500
Travelers' Goods and Leather Novelty Workers' International Union of America	1,500	1,300	900
Tube Workers, Int'l Association of	1,500	*	*
Typographical Union, International	46,700	46,700	43,800
Upholsterers' Int'l Union of North America	3,000	2,800	2,600
Watch Case Engravers, Int'l Association of	300	300	200
Weavers' Amalgamated Ass'n, Elastic Goring	100	100	100
Wire Weavers' Protective Association, American	300	300	300
Wood Carvers' Association of North America, Int'l.	2,100	1,600	1,600
Woodsmen and Saw Mill Workers, Int'l Bro. of	.....	1,100	1,200
Wood Workers' Int'l Union of Amer., Amalgamated	28,300	20,000	15,000
	1,675,400	1,494,300	1,444,200

* Disbanded.
† Suspended.

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The benefits paid to members by national unions in 1905 and 1906 were as follows:

	1905.	1906.
Death benefits	$742,421 23	$994,974 79
Death benefits (members' wives)	24,800 00	37,900 00
Sick benefits	582,874 13	663,436 61
Traveling benefits	62,989 71	59,340 93
Tool insurance	5,180 41	5,771 09
Unemployed benefits	85,050 72	79,582 70
Total	$1,503,316 20	$1,841,006 12

There was an increased expenditure on all the benefits except the unemployed and traveling benefits, which were diminished in consequence of the revival in trade. The detailed figures are reprinted in the following table. They do not include the considerable sums expended in the way of benefits by the local lodges or branches of the national unions and not reported to the national officers.

BENEFITS PAID TO MEMBERS BY INTERNATIONAL ORGANIZATIONS AFFILIATED WITH THE A. F. OF L., 1906.*

ORGANIZATIONS.	Death benefits.	Death benefits, members' wives.	Sick benefits.	Traveling benefits.	Unemployed benefits.
Actors	$500 00	.....	$600 00	.....	.....
Bakers and confectioners	700 00	$150 00	3,576 54	.....	.....
Barbers	14,020 00	.....	38,726 15	.....	.....
Bookbinders	3,500 00	.....	.....	.....	.....
Boot and shoe workers	13,400 00	.....	78,509 55	.....	.....
Bridge and structural iron workers	10,800 00	.....	.....	.....	.....
Carpenters, Brotherhood	202,284 57	25,550 00	80,000 00	.....	.....
Carvers, wood	2,450 00	.....	.....	.....	.....
Car workers	200 00	.....	405 00	.....	.....
Chainmakers	200 00	.....	.....	$800 00	.....
Cigarmakers	162,818 82	.....	165,917 80	55,293 93	$35,168 50
Clerks	5,719 00	.....	.....	.....	.....
Compressed air work'rs	1,000 00	.....	1,150 00	200 00	.....
Curtain operatives, lace	1,400 00	300 00	.....	.....	.....
Cutting die and cutter makers	25 00	.....	.....	.....	.....
Electrical workers	8,100 00	.....	.....	.....	.....
Engravers, watch case	.....	.....	.....	80 00	.....
Flour and cereal mill employees	.....	.....	.....	300 00	250 00
Foundry employees	750 00	.....	2,315 00	.....	.....
Freight handlers	10,000 00	.....	.....	.....	500 00
Fur workers	100 00	.....	.....	67 00	27 00
Glass bottle blowers	47,885 20	.....	.....	.....	.....
Glass house employees	.....	.....	.....	100 00	.....
Glass snappers	.....	.....	200 00	500 00	.....
Glass workers, amalgamated	845 10	.....	.....	.....	.....

*Exclusive of tool insurance, as follows: Carvers, wood, $488.72; freight handlers, $25; pattern makers, $5,257.37.

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BENEFITS PAID TO MEMBERS BY INTERNATIONAL ORGANIZATIONS AFFILIATED WITH THE A. F. OF L., 1906.*

ORGANIZATIONS.	Death benefits.	Death benefits, members' wives.	Sick benefits.	Traveling benefits.	Unemployed benefits.
Glass workers, window	$30,000 00	.....	.....	.....	$40,000 00
Granite cutters.....	23,480 45	.....	.....	.....	.....
Grinders, table knife..	200 00	.....	.....	.....	.....
Hatters.....	26,000 00	.....	.....	.....	.....
Hotel and restaurant employees.....	19,000 00	.....	$17,432 00	.....	.....
Iron, steel and tin workers.....	4,900 00	.....	.....	.....	.....
Jewelry workers.....	900 00	.....	1,848 00	.....	.....
Lathers.....	3,700 00	.....	.....	.....	.....
Leather workers on horse goods.....	2,030 00	.....	12,105 00	.....	.....
Lithographers.....	15,832 75	.....	.....	.....	.....
Machinists.....	29,375 00	.....	.....	.....	.....
Maintenance of way employees.....	10,000 00	.....	.....	.....	.....
Meat cutters and butcher workmen...	2,950 00	.....	.....	.....	.....
Metal polishers.....	5,389 75	.....	.....	.....	.....
Metal workers, sheet..	10,500 00	.....	.....	.....	.....
Molders, iron.....	62,748 65	.....	173,134 50	.....	3,625 20
Painters.....	54,447 50	$11,500 00	.....	.....	.....
Pattern makers.....	.....	.....	6,136 76	.....	.....
Paving cutters.....	900 00	.....	500 00	.....	.....
Photo-engravers.....	1,050 00	.....	.....	.....	.....
Piano and organ w'k'rs	3,400 00	.....	5,963 31	.....	.....
Plumbers.....	6,500 00	.....	29,475 00	.....	.....
Print cutters.....	599 00	.....	376 00	.....	12 00
Printers, machine textile.....	450 00	.....	.....	.....	.....
Printing pressmen....	11,000 00	.....	.....	.....	.....
Quarry workers.....	850 00	.....	.....	.....	.....
Railway employees, street.....	13,100 00	.....	23,000 00	.....	.....
Sawsmiths.....	300 00	.....	.....	.....	.....
Slate and tile roofers..	1,900 00	.....	.....	.....	.....
Slate workers.....	800 00	200 00	.....	.....	.....
Spinners, cotton mule.	600 00	200 00	.....	.....	.....
Stage employees, theatrical.....	17,500 00	.....	13,000 00	.....	.....
Stereotypers and electrotypers.....	1,920 00	.....	.....	.....	.....
Stove mounters.....	2,000 00	.....	.....	.....	.....
Switchmen.....	138,375 00	.....	.....	.....	.....
Tailors.....	12,740 00	.....	.....	.....	.....
Tobacco workers.....	1,500 00	.....	8,118 00	.....	.....
Travelers' goods and leather nov. workers	.....	.....	150 00	.....	.....
Typographical Union..	35,840 00	.....	.....	.....	.....
Weavers, goring.....	200 00	.....	.....	.....	.....
Weavers, wire.....	299 00	.....	798 00	.....	.....
Totals.....	$994,974 79	$37,900 00	$663,436 61	$57,340 93	$79,582 70

* Exclusive of tool insurance, as follows: Carvers, wood, $488.72; freight handlers, $25; pattern makers, $5,257 37.

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BENEFITS PAID BY CIGAR MAKERS' INTERNATIONAL UNION, 1879–1906.

YEAR.¶	Strike benefit.	Sick benefit.	Death and total disability benefit.	Traveling benefit.	Out-of-work benefit.	Membership.††	Cash balance.
1879*....	$3,668 23	.....	.....	.....	.....	2,729	$5,066 22
1880.....	4,950 36	.....	.....	$2,808 15	.....	4,440	11,151 62
1881†....	21,797 68	$3,987 73	$75 00	12,747 09	.....	14,604	37,740 79
1882‡....	44,850 41	17,145 28	1,674 25	20,386 64	.....	11,430	77,506 29
1883.....	27,812 13	22,250 56	2,690 00	37,135 20	.....	13,214	126,783 30
1884.....	143,547 36	31,551 50	3,920 00	39,632 08	.....	11,371	70,078 30
1885.....	61,087 28	29,379 89	4,214 00	26,683 54	.....	12,000	85,511 46
1886.....	54,402 61	42,225 59	4,820 00	31,835 71	.....	24,672	172,813 25
1887.....	13,871 62	63,900 88	8,850 00	49,281 04	.....	20,560	227,288 24
1888.....	45,303 62	58,824 19	21,319 75	42,894 75	.....	17,133	239,190 53
1889.....	5,202 52	59,519 94	19,175 50	43,540 44	.....	17,555	285,136 54
1890§....	18,414 27	64,660 47	26,043 00	37,914 72	$22,760 50	24,624	383,072 82
1891.....	33,531 78	87,472 97	38,068 35	53,535 73	21,223 50	24,221	421,950 06
1892.....	37,477 60	89,906 30	44,701 97	47,732 47	17,460 75	26,678	503,829 20
1893.....	18,228 15	104,391 83	49,458 33	60,475 11	89,402 75	26,788	456,732 13
1894.....	44,966 76	106,758 37	62,158 77	42,154 17	174,517 25	27,828	340,788 06
1895.....	44,039 06	112,567 06	66,725 98	41,657 16	166,377 25	27,760	236,213 05
1896.....	27,446 46	109,208 62	78,788 09	33,076 22	175,767 25	27,318	177,033 12
1897**...	12,175 09	112,774 63	69,186 67	29,067 04	117,471 40	26,347	194,240 30
1898.....	25,118 59	111,283 60	94,939 83	25,237 43	70,197 70	26,460	227,597 01
1899.....	12,331 63	107,785 07	98,993 83	24,234 33	38,037 00	28,994	292,407 95
1900.....	137,823 23	117,455 84	98,291 00	33,238 13	23,897 00	33,955	314,806 24
1901.....	105,215 71	134,614 11	138,456 38	44,652 73	27,083 76	33,974	321,124 33
1902.....	85,274 14	137,403 45	128,447 63	45,314 05	21,071 00	37,023	361,811 29
1903.....	20,858 15	147,054 56	138,975 91	52,521 41	15,558 00	39,301	495,117 91
1904.....	32,888 88	163,226 18	151,752 93	58,728 71	29,872 50	41,536	589,234 20
1905.....	9,820 83	165,917 80	162,818 82	55,293 93	35,168 50	40,075	688,679 13
1906.....	44,735 43	162,905 82	185,514 17	50,650 21	23,911 00	39,250	714,506 14

AUSTRIA.

Since 1901 the national trade union commission has published statistics in its organ *Die Gewerkschaft* of Vienna. The figures of 1906, which recently appeared,‡‡ are restricted to workingmen's associations pursuing strictly trade union objects and, therefore, omit two classes of societies hitherto included — the trade clubs, which are chiefly educational societies, and the general unions or mixed assemblies. The following table shows the growth of the movement since 1892:

END OF—	Total membership of all workingmen's societies.	TRADE UNIONS. National.	Local branches.	District org.	Total.	Membership.	Increase.	Female members.
1892.....	70,343	10	474	240	724	46,606	.....	2,216
1896.....	117,946	17	775	284	1,076	98,669	52,063	3,448
1899.....	157,773	30	1,284	242	1,556	119,334	20,665	5,556
1901.....	152,604	32	1,273	266	1,571	119,050	¶¶284	5,378
1902.....	164,488	47	1,397	241	1,685	135,178	16,128	5,888
1903.....	177,592	51	1,623	192	1,866	154,665	19,487	9,519
1904.....	205,651	45	2,108	121	2,274	189,121	34,456	13,055
1905.....	.....	47	2,964	100	3,111	323,099	133,978	28,402
1906.....	.....	49	4,062	89	....	448,270	125,171	42,190

*Weekly dues, 10 cents. †Weekly dues, 15 cents. ‡Weekly dues, 20 cents.
¶The fiscal year prior to January 1, 1886, closed on October 31.
§Weekly dues, 25 cents. **Weekly dues, 30 cents.
††Exclusive of members paying only 15 cents or 20 cents a week since 1897 and 1887, respectively.
‡‡Quoted in *Sociale Rundschau*, July, 1907. ¶¶Decrease.

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The actual growth in 1906 (net increase of 125,171) was only slightly less than that of the preceding year, although the percentage of increase was of course considerably smaller (38.7 per cent as contrasted with 70.8 per cent in 1905).

There are ten national unions that have 10,000 or more members, as follows: Iron and metal workers, 53,023; railway employees, 46,934; textile workers, 44,221; building laborers, 39,562; wood workers, 28, 596; mine workers, 27,989; paper, rubber and chemical workers, 20,027; printers and type founders, 12,512; brewery workers, 10,296; foundry workers, 10,293. The most strongly organized trade is that of the printers who claim to have in their union four-fifths of all printers; other unions embracing a large proportion of the workers are the dock workers, 65 per cent; china and porcelain workers, 40 per cent; railway employees, 38 per cent; paper and chemical workers, 36 per cent; building laborers, 34 per cent; leather workers, 33 per cent.

BELGIUM.

In default of official data, it is necessary to use the statistics of the Socialist Labor Party which are believed to understate the strength of workingmen's unions outside of that organization. According to this information* the growth in membership has been as follows:

AT END OF—	Number of members of all organizations.
1889	62,350
1901	73,291
1902	101,460
1905	148,483

The membership at the end of 1905 was composed of 94,151 members of unions affiliated with the Socialist Labor Party, 34,833 neutrals or independents, 17,814 in Catholic unions and 1,685 Liberal unions. The distribution by industries and trades was as follows:

INDUSTRIES.	1889, Dec. 31.	1905, Dec. 31.	Affiliated with the Socialist Labor Party.	Catholics.	Independents.	Liberals.
Textiles	9,070	28,162	11,435	5,332	11,145	250
Clothing	1,100	1,680	290	1,154	236	.....
Metals	8,196	10,564	7,820	1,124	1,580	40
Mines	13,597	60,895	60,000	895	.....	.....
Building	481	6,304	1,907	3,239	1,128	30
Food	473	948	370	168	390	20

*Correspondenzblatt der Generalkommission der Gewerkschaften Deutschlands, 17 Nov. 1906.

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INDUSTRIES.	1889. Dec. 31.	1905. Dec. 31.	Affiliated with the Socialist Labor Party.	Catholics.	Independents.	Liberals.
Furniture and wood work	2,326	4,956	2,700	1,541	715	.....
Leather and hides	1,083	3,406	907	1,049	1,450	.....
Transportation	11,607	3,421	608	1,045	1,723	45
Quarries	3,293	3,483	3,000	.....	483	.....
Glass	6,150	6,200	300	.....	5,900	.....
Chemicals	.....	.....	.....	.....	.....	.....
Printing	2,763	3,971	431	222	3,318	.....
Tobacco	940	1,858	1,800	58	.....	.....
Art goods and scientific instruments	.....	3,714	.....	94	3,620	.....
Paper	.....	640	.....	280	360	.....
Pottery	171	.....	.....	.....	.....	.....
Laborers	.....	2,006	512	619	875	.....
Miscellaneous	728	1,505	260	835	410	.....
Commerce and trade	372	4,159	1,200	159	1,500	1,300
Domestic employment	.....	.....	.....	.....	.....	.....
Agricultural workers	.....	.....	.....	.....	.....	.....
Public employment	.....	611	611	.....	.....	.....
Total	62,350	148,483	94,151	17,814	34,833	1,685

GERMANY.

With unimportant exceptions the German trade unions are all connected with some one of the three organizations, the *Freie Gewerkschaften* allied with the Socialist party, the so-called Hirsch-Duncker *Gewerkvereine* which follow the traditions of the English trade union movement, and the Christian organizations under clerical leadership or patronage. The following table gives the latest statistics* and shows the growth in membership in 1906:

	No. of local unions.	NUMBER OF MEMBERS.†			FINANCES. (In marks)		
		1905.	1906.	Change.	Receipts.	Expenditures.	Cash on hand.
Social Democratic:							
National unions	11,037	1,344,803	1,689,709	†344,906	41,602,939	36,963,413	25,312,634
Local organizations	.....	27,736	13,145	—14,591	.....	.....	.....
Hirsch-Duncker unions	2,146	117,097	118,508	+1,411	1,404,074	1,344,277	3,626,082
Christian unions:							
Federation	3,048	188,106	247,116	+59,010	3,378,833	2,709,260	2,370,782
Independent	724	76,926	73,132	—3,794	266,032	268,473	235,162
Unaffiliated unions	.....	65,262	73,544	+8,282	.....	.....	.....
Total	.....	1,819,930	2,215,165	395,224	46,651,878	41,285,423	31,544,660

The gain in membership in 1906 was 395,224 as compared with 355,718 in the preceding year, bringing the aggregate number of members for the first time above the two million mark. The losses

*Journal of the German Labor Department (*Reichs-Arbeitsblatt*), July, 1907; *Correspondenzblatt*, etc., supplement, 17 Aug., 1907.

†Average for the year, except the Hirsch-Duncker unions (end of the year).

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in the ranks of the local unaffiliated organizations and the large gains made by the national trade are characteristic of the process of consolidation. While the Christian Federation maintained its progress, the largest advance was made by the Social Democratic unions, the development of whose numerical and financial strength in the last 16 years is shown in more detail in the following table:

GROWTH OF SOCIAL DEMOCRATIC UNIONS (GEWERKSCHÄFTEN), 1891-1906.

YEAR.	National unions.	No. of branches.	Membership.	Women included.	RECEIPTS.* No. unions.	RECEIPTS.* Aggregate amount.	EXPENDITURES.* No. unions.	EXPENDITURES.* Aggregate amount.
1891	62	2,551	277,659	.....	49	1,116,558	47	1,606,534
1892	56	3,956	237,094	4,355	46	2,031,922	50	1,786,271
1893	51	4,133	223,530	5,384	44	2,246,366	44	2,036,025
1894	54	4,350	246,494	5,251	41	2,685,564	44	2,135,606
1895	53	4,819	259,175	6,697	47	3,036,803	48	2,488,015
1896	51	5,430	329,230	15,265	49	3,616,444	50	3,323,713
1897	56	6,151	412,359	14,644	51	4,083,696	52	3,542,897
1898	57	6,756	493,742	13,481	57	5,508,667	57	4,279,726
1899	55	7,623	580,473	19,280	55	7,687,154	55	6,450,876
1900	58	.....	680,427	22,844	58	9,454,075	58	8,088,021
1901	57	.....	677,510	23,699	56	9,722,720	56	8,967,168
1902	60	8,634	733,206	28,218	60	11,097,774	60	10,253,559
1903	63	.....	887,698	40,666	63	16,419,991	63	13,724,336
1904	63	.....	1,052,108	48,604	63	20,190,630	63	17,738,75
1905	64	9,525	1,344,803	74,411	64	27,812,257	64	25,024,234
1906	66	11,037	1,689,709	118,908	66	41,602,939	66	36,963,418

The following table shows the number of members in both 1905 and 1906 in the 18 principal unions:

ORGANIZATION.	Affiliation.	NO. OF MEMBERS. 1906.	1905.
Metal workers	Social Democrat	310,673	233,323
Masons	Social Democrat	183,537	155,911
Wood workers	Social Democrat	146,443	119,925
Factory operatives	Social Democrat	115,739	66,689
Miners	Social Democrat	105,283	124,976
Textile workers	Social workers	101,055	66,959
Miners	Christian	73,542	71,500
Building laborers	Social Democrat	70,648	.....
Transport workers	Social Democrat	65,428	46,906
Carpenters	Social Democrat	50,548	42,249
Machinists and metal workers	Hirsch-Duncker	48,199	49,51
Printers	Social Democrat	47,162	43,257
Painters	Social Democrat	36,626	29,470
Building mechanics and laborers	Christian	36,459	20,679
Railway mechanics	Independent	35,091	41,436
Textile workers	Independent	34,581	24,735
Tailors	Social Democrat	34,514	28,626
Shoemakers	Social Democrat	33,132	26,366

*In =23.8 cents.

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GREAT BRITAIN AND IRELAND.

The latest official statistics* relate to the year 1905, at the close of which the number of trade unions known by the Labor Department of the Board of Trade to be in existence was 1,136, with a total membership of 1,887,823, as compared with 1,148 unions and 1,866,755 members in the preceding year. The increase was equal to 1.3 per cent, but as compared with 1901, when the number of unionists aggregated 1,940,874, there was a decrease of 2.7 per cent. The principal changes in 1905 were an increase of 18,000 in the textile group of unions and a decrease of 20,000 in the building trades unions. The number of women in trade unions increased from 125,102 in 1904 to 135,235 at the end of 1905, a gain of 8 per cent. About nine-tenths of them are employed in the Lancashire cotton industry. The following table gives a summary of the financial statistics of the 100 principal unions embracing about three-fifths of all members of unions in the United Kingdom:

YEAR.	No. of members.	Accumulated funds (£).	EXPENDITURES.					
			Total (£).	PER CENT OF TOTAL FOR—				Unemployed benefits (£).
				Strike benefits.	Unemployed benefits.	Other benefits.	Working and other expenses.	
1896.....	987,717	2,151,072	1,212,135	13.9	21.5	42.0	22.6	260,793
1897.....	1,089,069	2,231,007	1,891,027	34.2	17.5	31.5	16.8	331,108
1898.....	1,067,689	2,656,800	1,476,337	22.1	15.9	41.1	20.9	234,061
1899.....	1,147,809	3,240,187	1,252,011	9.6	14.8	49.5	26.1	184,843
1900.....	1,191,384	3,731,428	1,456,716	10.5	18.0	46.6	24.9	261,560
1901.....	1,199,023	4,134,298	1,641,081	12.8	19.8	43.9	23.5	325,392
1902.....	1,197,137	4,420,883	1,800,234	12.2	23.8	41.6	22.4	429,090
1903.....	1,184,791	4,603,559	1,917,104	9.0	26.9	41.3	22.8	514,899
1904.....	1,177,242	4,662,264	2,055,728	6.2	31.7	41.3	20.8	652,457
1905.....	1,189,795	4,808,106	2,065,731	10.3	25.2	43.7	20.8	521,123

The funds in hand at the end of 1905 aggregated nearly $24,000,000 or upwards of $20 per member. The income from dues, etc., amounted to more than $10,000,000 (£2,211,573), equivalent to a contribution of $9 per member for 1905 as compared with $8 in 1896. The expenditures per member in 1905 were $8.50 as compared with $6 in 1896. Of the total expenditures only 10 per cent were for strike benefits and 21 per cent for running expenses, 25 per cent having gone to unemployed members and the remaining 44 per cent in the form of funeral, sickness, and other benefits.

*The Board of Trade Labor Gazette, Dec., 1906, p. 352.

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These percentages of expenditure varied but slightly from the averages for the ten years 1896–1905, which were as follows: Dispute benefit, 14 per cent; unemployed benefits, 22 per cent; other benefits, 42 per cent; working and other expenses, 22 per cent.

HUNGARY.

The trade union movement in Hungary is virtually a creation of the last decade, but it has made rapid progress. The greatest growth, actual and relative, was made last year when the aggregate membership increased from 71,173 to 153,332, in 25 provincial organizations with 1,625 local branches and 13 unattached locals.* Budapest claimed 57,293 members.

A considerable part of the gain in 1906 was due to the formation of a union of agricultural laborers with 24,000 members. This union is omitted from the following table which pertains only to—

TRADE UNIONS IN MANUFACTURES AND MECHANICAL INDUSTRIES.

END OF—	Number of members.	ANNUAL INCREASE.		Percentage of all wage earners.
		Number.	Per cent.	
1901	10,000	.....	.....	2.4
1902	15,270	5,270	52.7	3.6
1903	41,138	25,868	169.9	9.8
1904	53,169	12,031	29.3	12.7
1905	71,173	18,004	33.9	17.0
1906	129,332	58,159	81.7	30.9

The Hungarian unions had 5,503 female members at the end of 1906, as compared with 3,014 a year earlier.

The largest groups of organized workers are those of the building trades (24,757), farm laborers (24,000), metal workers (21,057), railway employees (16,401) and wood workers (14,637).

ITALY.

While the agricultural laborers of Italy have come together in unions with an aggregate membership of 221,913 at the beginning of 1906,† the mechanics have their own trade unions as elsewhere, whose total membership at the same date was 157,289. Since then the membership has increased and according to official statistics published in the *Bollettino* of the Bureau of Labor (July, 1907), the 22 national unions have 204,271 members in 2,045 local branches thus:

* *Correspondensblatt der Generalkommission der Gewerkschaften Deutschlands*, May 25, 1907.
† Recent reports give a total of 273,698 early in 1907.

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Unions.	No. of local unions.	Number of members. 1907.	1904.
Building trades	508	51,605	26,505
Railway employees	700	42,000	54,320
Metal trades	111	26,906	13,313
Seamen	17	15,558	16,967
Typographical trades	124	9,643	9,198
State employees	54	9,586	11,771
Textile workers	69	9,355	7,510
Shoe workers	97	8,788	3,287
Bakers	86	5,566	3,850
Hat makers	35	4,963	4,410
Chemical workers	19	4,623	.....
Hospital employees	52	3,974	1,768
Wood workers	65	3,114	3,185
Glass workers	17	1,900	2,099
Pottery workers	30	1,873	1,120
Leather workers	12	1,526	1,368
Lithographers	9	950	866
Bottle makers	6	848	228
Barbers	11	787	.....
Tailors	11	569	.....
Window glass workers	11	137	.....
Dock workers	....	.....	5,970
Total	*2,045	204,271	†181,230

SCANDINAVIAN COUNTRIES.

Denmark has long been a stronghold of trade unionism and there has consequently been no important change in the numerical strength of unions in recent years:

JANUARY 1—	UNIONS: AFFILIATED (With National Federation.)	UNIONS: NOT AFFILIATED	Total.	MEMBERSHIP OF UNIONS: Affiliated.	Not affiliated.	Total.
1900	1,086	109	1,195	81,269	15,026	96,295
1902	975	218	1,193	72,127	24,352	96,479
1903	989	224	1,213	64,621	23,477	88,098
1904	978	178	1,156	67,503	22,608	90,111
1907‡	1,061	188	1,249	78,081	20,971	99,052

The leading union in the Federation is one of general laborers which has 175 locals and 22,660 members; this was followed by the blacksmiths' and machinists' union of 8,000 members; masons, 5,313; railway employees, 4,990; carpenters, 3,855; textile workers, 3,700, and cabinet makers, 3,592.

* So in original; but the sum of the items is 2,044.
† Including certain trades not in this table.
‡ The statistics for 1907 are from the Berlin *Correspondenzblatt*, May 25, 1907; for the preceding years from the Danish government's statistical year book.

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Norway.— Extraordinary growth characterized the Norwegian unions in 1906, at the close of which the aggregate membership was in round numbers 25,000, a gain of 10,000 for the year.* Most of the organized wage earners are connected with the National Federation of Labor, through some one of the 12 national unions, but there are 16 local organizations with 659 members. The union of general laborers had the largest membership (10,622), followed by the metal workers (6,183), wood workers (1,700) and printers (1,664). These were the only organizations that had as many as 1,000 members.

Sweden.— From a total membership of 39,132 in 692 local unions in 1900, the Swedish trade union movement grew to 126,272 members of 1,596 local unions in the fourth quarter of 1906. The following statistics show their distribution by trades:

Unions.	Number of branches.	Number of members.
Factory workers	201	30,645
Iron and metal workers	153	20,536
Wood workers	176	10,706
Transport workers	91	9,188
Sawmill workers	84	7,156
Tinsmiths	45	1,595
Painters	45	2,632
Tailors	68	2,688
Shoemakers	49	3,317
Tobacco workers	28	2,107
Bakers	55	2,571
Brewers	35	2,454
Molders	79	2,354
Chem. techn.— mill and leather workers	50	2,167
Masons	58	3,970
Stone workers	99	3,568
Textile workers	51	4,389
Miners	28	3,379
Bookbinders	20	1,218
Street-car employees	8	1,519
Potters	37	1,174
Others	141	3,969
Total	1,596	†126,272

— *Correspondensblatt*, 9 Feb. '07, p. 88.

The Massachusetts Commission on Industrial Education.

The first report of the permanent commission on industrial education created in Massachusetts last year appeared in March, 1907. The Commission's point of view is stated as follows:

* Berlin *Correspondenzblatt*, Feb. 2, 1907
† So in original; the sum of the items, however, is 123,272.

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"The progressive development of all high-grade industries requires skilled workmen, possessing 'industrial intelligence,'— that is, comprehensive insight into and intelligent interest in their several trades,— as well as skill. The present conditions of production are usually unfavorable to the training of such workmen in the shop or factory, and sometimes render such training impossible. All industries, whatever their grade, need more men than are now obtainable, who are capable of acting as foremen, superintendents or managers,— men possessing the comprehensive insight, interest and skill necessary for the organization and direction of a department or a shop. In general, such men, whether workers, foremen or superintendents, are now developed only by chance, and they are then self-made men, possessing the merits but also the shortcomings of their training.

"Meanwhile boys (and girls) are not only not directed toward the trades in our existing schools, but are actually often directed away from them by the bookish education of those schools and their purely academic traditions. The public schools are doing their work to-day better than they have ever done it. This statement is made on evidence, and is not merely an opinion. But, both on account of the youth of the children up to the end of the grammar school period and because of the general education which those schools exist to supply, it is only natural that they should not have concerned themselves with the development of a vocational purpose, nor with the training which points toward the realization of that purpose. Up to the age of fourteen the whole of a pupil's time is required for the general education on which his vocational training should be based.

"The high school pupils have entered on a longer career of general education, and in most cases look forward to a business career or to further study in some higher institution for a profession. The academic high schools, accordingly, even when they comprise so-called commercial courses or courses in manual training, are not vocational schools; they are schools for general education, and, like the elementary schools, are doing their work better than they have ever done it. They do not, however, aim to supply the specific education required for a particular calling.

"In every democratic society the schools provided by the public should meet the needs of all classes,— those who are not going to college, as well as those who are. The existing public high schools serve to give a general education to those pupils whose training must cease on graduation, and at the same time they offer preparation for admission to college or some higher technical school. The manual training high schools — or so-called technical high schools —were intended originally to train recruits for the trades, but they have not done so. They are institutions for general education, like the academic high schools, but, unlike them, serve to give a certain class of pupils a general high school education with the help of manual training, or like them, to prepare their pupils for higher training in some college or engineering school.

"Boys are not wanted in most of the skilled industries until they are sixteen years of age. The total result is a great number of boys and girls from fourteen to sixteen years of age, most of whom are at work in various kinds of juvenile occupations, in which they learn no trade, are subject to little if any beneficial general education, and often to much harmful education from shifting experience and environment. Large numbers of these

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children would be in school if the school promised preparation for some life pursuit. These years are of little economic value to such children, and there is little increase in the economic value of most of them as time goes on. Hence, these are at present wasted years,— lost to the children because of a lack of economic growth, and to the industries because the children are not fitted to satisfy the demand for trained workers by the time they are old enough to be employed in the trades.

"These years and the subsequent years are, however, valuable for industrial education; but there is at present no agency whereby this education is provided, save here and there to a limited extent only, and then chiefly by philanthropy.

"Hence the need of industrial schools to supplement the existing school system, and to meet a new educational need which has developed with the evolution of our industries and commerce. Such schools would receive pupils fourteen or fifteen years of age who declare their intention to learn a trade; and would, therefore, be parallel to the existing public high schools, but independent of them.

"Such schools must be established as independent schools, because the motive or end for which they exist, namely, *vocational training* as contrasted with *general training*, determines the value of the instruction in every detail. In order to keep such schools in close touch with the trades and with agriculture there should be local advisory boards, including representatives of the industries concerned, employers and employees.

"The commission believes that such schools should offer four years of training, as described below, for pupils fourteen or fifteen years of age on admission; but it believes also that such schools will be developed gradually. Pupils who could take only a partial course in the proposed schools would be all the better apprentices because of their school training, however brief it might be.

"When the schools are fully established, the commission believes the four years of instruction might be divided as follows:—

"The first two years would cover general shop instruction, at least two hours per day, together with related mathematics, drawing, natural science and English.

"The work of the last two years — which could be gradually completed during a longer period in the evenings, or on the part-time system, meaning part of the time in the factory or shop and part of the time in the school during working hours, whether on the same day, or at intervals of several days, or even weeks, by pupils who were obliged to go to work at sixteen — should give the shop instruction for particular trades, and for each trade represented the drawing, mathematics, mechanics, physical or biological science tpplicable to that trade; the history of that trade; civics treated as concretely as possible, and shop and business English.

"The commission intends to provide for evening pupils, and it intends to make every effort to secure the co-operation of employers, to the end that part-time courses for apprentices may be established in the proposed schools.

* * * * * * * * * * *

"As to the attitude of the employees in our industries throughout the state, the commission feels that while on the one hand there is a feeling of doubt and even distrust in the minds of many of them with regard to some of the

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aspects of this movement, yet, as a result of efforts made by the commission to reach the workingman's point of view through full consultation, the members of the commission are unanimous in the belief that all that is vital and essential to a proper scheme of industrial education for Massachusetts can be and will be brought about not only without opposition on the part of organized labor, but in many cases with the active and interested co-operation of its representatives."

Wages and Salaries in Canada.

The Canadian census bureau has issued a bulletin showing the income (salary or wages) of persons 15 years old or older working at gainful occupations in 1901. The total number thus enumerated was 736,549 males and 186,042 females, the majority of whom reported their income, the average for males having been $387 and for females $120. The following table shows separately the earnings of males and females at their regular occupation:

AVERAGE INCOME FROM REGULAR WORK IN EACH GROUP OF OCCUPATIONS, 1901.

GROUP.	Number at regular occupation.		Average earnings.	
	Male.	Female.	Male.	Female.
Agriculture	72,696	92	$207 55	$146 28
Domestic and personal	140,978	67,752	272 46	137 05
Fisheries	7,372	.....	205 36	.....
Forestry and lumbering	16,438	.....	305 07	.....
Manufacturing	226,001	49,662	403 14	193 26
Mining	23,898	.....	513 77	.....
Miscellaneous	523	.....	387 65	.....
Professional	29,574	22,110	676 88	259 20
Trade and transportation	144,005	13,829	503 22	238 39
Totals	661,485	153,445	$387 16	$181 98

The lowest incomes are found among the farmers and fishermen, the highest in the professions, while the income of those in industrial occupations closely approximates the average for all bread winners.

The foregoing figures take no account of earnings secured by extra work outside of the regular occupation. The report states that 19,399 males and 952 females returned such outside income. The total amount thus earned by men constituted less than 1 per cent of the aggregate earnings of males and averaged $126 for each of the 19,399. Extra earnings of women constituted only one-fourth of 1 per cent of their aggregate and averaged $67 for each of the 952.

It was found that the average duration of employment in the census year was 10.53 months for men and 10.79 months for women. This includes the time actually spent at work and pre-

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sumably excludes time lost through illness, vacations, etc., as well as lack of employment.

Salaries in Germany.

Some four years ago the organization of clerks, bookkeepers and other salaried employees in Germany undertook an investigation of their economic condition in order to obtain the facts necessary for the creation of disability and pension funds similar to those already provided for the government employees. Schedules of inquiry were distributed among the members of the employees' association and returned to government officials under whose direction they were tabulated, the results appearing in a memorial to the Legislature. A summary in the May "Reichs-Arbeitsblatt" (Imperial Bulletin of Labor) furnishes the following data:

GRADES OF INCOMES.	Total number.		Percentage.	
	Male.	Female.	Male.	Female.
Less than $238 (1000 marks)	4,777	1,860	3.18	38.86
From $238 to $298 (1000 to 1250 marks)	17,235	1,410	11.49	29.45
From $298 to $357 (1250 to 1500 marks)	18,568	693	12.37	14.48
From $357 to $428 (1500 to 1800 marks)	23,871	460	15.91	9.61
From $428 to $500 (1800 to 2100 marks)	24,410	202	16.27	4.22
From $500 to $571 (2100 to 2400 marks)	17,155	61	11.43	1.27
From $571 to $642 (2400 to 2700 marks)	15,254	47	10.17	0.98
From $642 to $714 (2700 to 3000 marks)	6,239	1	4.16	0.02
From $714 to $857 (3000 to 3600 marks)	10,016	16	6.67	0.33
$857 (3600 marks) and over	11,544	5	7.69	0.10
Unknown	987	32	0.66	0.68
Totals	150,056	4,787	100.00	100.00

Concerning the number of employees reporting, it may be noted that one-half of the 4,787 women were employed in the offices of commercial houses, while 62 per cent of the 150,056 males worked for manufacturing concerns and included more foremen, superintendents, technical experts than clerks or bookkeepers; only 14 per cent of the male employees reporting worked in commercial offices. As shown above, 40 per cent of the female employees earned less than 1,000 marks ($238) per annum, the average income for all having been $280. The average income of the men was $491, and 15 per cent of them earned less than $300. As shown below the average income was somewhat higher in industry (2,156 marks) than in trade (1,947 marks), agriculture (1,910 marks) or the professions (1,790 marks).

It further appears that the highest income is earned at about the age of 45 years and thereafter diminishes.

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AVERAGE YEARLY INCOME (IN 1903) OF SALARIED EMPLOYEES (MALES) OF EACH SPECIFIED AGE GROUP IN—

AGE GROUPS.	Agriculture. (Marks.)	Mining and manufactures. (Marks.)	Trade. (Marks.)	Professions. (Marks.)	All occupations. (Marks).
14–20 years.....	1,035	1,081	1,073	950	1,063
20–25 years.....	1,170	1,520	1,446	1,360	1,466
25–30 years.....	1,529	2,029	1,931	1,877	1,953
30–35 years.....	1,903	2,312	2,369	2,054	2,264
35–40 years.....	2,141	2,392	2,596	2,160	2,379
40–45 years.....	2,225	2,401	2,745	2,141	2,412
45–50 years.....	2,227	2,391	2,748	2,072	2,403
50–55 years.....	2,085	2,357	2,762	1,926	2,357
55–60 years.....	2,167	2,257	2,603	1,966	2,263
60–65 years.....	2,166	2,200	2,417	1,718	2,175
65–70 years.....	2,011	2,034	2,382	1,422	2,007
70 years and over.....	1,817	1,938	2,049	1,281	1,879
Unknown.....	1,875	2,150	1,834	1,935	2,024
All ages.....	1,910	2,156	1,947	1,790	2,064

THE EIGHT HOUR MOVEMENT.

Eight Hours for Children.

The recent New York law restricting the employment of children to eight hours a day applies only to manufacturing establishment, but a similar law enacted in Nebraska this year embraces also mercantile employments. Four years ago Illinois and Colorado prescribed the maximum eight-hour day for all children gainfully employed, while eight of the Western states have established a maximum workday of eight hours for all persons working in underground mines or mines and smelters. Such restrictions apply to children where their employment is permitted at all. It may, therefore, be said that twelve commonwealths have in one way or another established an eight-hour day for working children, as indicated below.

COMPULSORY EIGHT-HOUR DAY FOR ALL PERSONS EMPLOYED IN MINES (OR MINES AND SMELTERS).

Arizona, 1903.
Colorado, 1905.
Missouri, 1905.
Montana, 1905. (Employment of children prohibited in underground mines.)
Nevada, 1903.
Oregon, 1907.
Utah, 1898.
Wyoming, 1899.

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COMPULSORY EIGHT-HOUR DAY FOR CHILDREN EMPLOYED AT UNDER-MENTIONED WORK.

Colorado (1903). Under 16 years, in factories, stores and other workplaces dangerous to health.

Illinois (1903). Under 16 years, in all gainful occupations.

Nebraska (1907). Under 16 years, in manufacturing and mercantile establishments, theaters, hotels, etc.

New York (1907). Under 16 years, in factories.

Wisconsin (1899). Under 18 years, in cigar factories.

Proposed Eight-Hour Law for Miners in England.

The enactment of laws limiting the hours of work of miners in various states of America and Europe encouraged the British advocates of an eight-hour law and in July, 1906, one of the members of the Government, Rt. Hon. Herbert J. Gladstone, secretary for the Home Office, appointed a committee "to inquire into the probable economic effect of a limit of eight hours to the working day of coal miners," consisting of Russell Rea, M. P., Sir Andrew N. Agnew, S. H. Cox, professor of mining in the Royal College of Science, John W. Crombie, M. P., Sir Robert Giffen, the Rt. Hon. Lord Glantawe and R. A. S. Redmayne, professor of mining, Birmingham University. The committee's report, consisting of three volumes of evidence [Parliamentary Papers, 1907, Cd. 3426, 3427 and 3428] and a final report with recommendations [Cd. 3505], has been published. The following summary is derived from the *Board of Trade Labor Gazette*, June, 1907:

The Committee draws attention to a preliminary difficulty as to the manner of calculating the eight-hours' limit, even when qualified by the expression "bank to bank." It was found that the time taken in lowering the whole of the men included in one shift was about half-an-hour, and in raising them about the same or a little longer. If, therefore, the eight hours were reckoned from the time when *all* of the shift were down to the time when they *began* to be raised again to the surface, the average length of the time spent below ground would be eight and one-half hours; if, on the other hand, the time were reckoned from the moment when the first cage went down to the moment when all the shift had been brought to the surface again, the average time spent below ground would be only seven and one-half hours. The Committee, therefore, have interpreted the expression as meaning "eight hours, from the first man down to the first man up."

The Committee found that the average time, bank to bank, of all underground workers on a full day was nine hours and three minutes, or eight hours and thirty-six minutes for hewers, and nine hours and twenty-eight minutes for other underground workmen. The hours vary widely from district to district; thus, in Durham, the average time for hewers was only six

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hours and forty-nine minutes; whereas in Monmouthshire the time was nine hours and fifty-four minutes. These times are subject to a further deduction on account of (1) time spent in going to and from the working places, estimated at about one hour for hewers, and thirty minutes for other underground workmen; and (2) time spent in taking meals, calculated at thirty-nine minutes.

The *weekly* hours of labor under present conditions are further reduced by three causes, some of which would not operate to the same extent under an eight-hours' system:—

1. Losses by customary "idle" or "stop" days, and by customary "short" days.
2. Losses due to strikes, accidents, bad trade, shortage of wagons, etc.
3. Losses due to voluntary absenteeism.

The actual average time spent underground, under present conditions, is reduced by these causes to forty-three hours and thirteen minutes in a normal week.

The custom of having "idle" or "short" days, or both, is practically universal. The practice varies in almost every district, and even within the same district; but, broadly speaking, it may be said that the practice in Northumberland and Durham is to have one idle day, one short day, and ten full days per fortnight; in Yorkshire and the Midlands, two short days and ten full days; in South Wales and Monmouthshire, four short and eight full days. The average length of the short day was found to be six hours and thirteen minutes. The proportion of time lost by these "idle" and "short" days is 6½ per cent of the theoretical maximum; but the Committee do not consider that there is any possibility of using the time lost by "idle" days as a reserve which could be drawn upon to mitigate the effect upon production of a compulsory eight-hours' day, and very little possibility of using the "short" days for this purpose.

The time lost by stoppages due to accidents, bad trade, shortage of wagons, etc., amounts to 7¼ per cent of the theoretical maximum. The Committee thinks that some of this lost time, especially that due to want of orders, would tend to disappear in the event of an eight-hours' day causing a shortage, and consequent increased demand.

"Voluntary absenteeism" accounts on the average for a loss of 6.6 per cent of the available time. It should be noted that this percentage of absenteeism is calculated not on the total number on the colliery books, some of whom on any one day would be absent owing to illness, accident, etc., but on the attendance *actually attained* on the best days of four selected weeks, viz., one week each in June and December, 1899, and June and December, 1905, respectively.

The Committee found that the proportion of "voluntary absenteeism" was, broadly speaking and with some exceptions, greatest in the districts where the average hours are longest, and least where they are shortest. The Committee also had evidence that, at least in some districts, there was a certain weekly output which the hewer by custom did not exceed; so that, if he reached that limit early in the week, he would "play" for the rest of the week.

The Committee considers that "voluntary absenteeism" would be reduced in many districts under an eight-hours' system, especially in the case of hewers, who are paid by the piece.

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The Committee considers, however, in spite of these mitigations, that the compulsory reduction of the working day would effect some temporary reduction in output, especially in South Wales and in Lancashire, where the hours at present are longest. They, therefore, discussed various means by which it was suggested that this reduction might be combated. These suggestions were:—

1. Increased efficiency of the labor employed.
2. Improvements in the mechanical equipment of the collieries (improving winding and hauling machinery, sinking new shafts, etc.).
3. Increased use of coal-cutting machines and conveyors.
4. Extension of the multiple-shift system, which is at present general only in Northumberland and Durham.
5. Introduction of fresh labor from other areas or from other industries.

The Committee thinks that "the probable cumulative effect of these influences must remain a matter of uncertainty and of opinion;" but express "the general conclusion that the total effect of all will tend toward the maintenance of an equilibrium between supply and demand."

The Committee dismisses the opinion expressed by some witnesses that the effect of a reduction of output would fall entirely upon the export trade; but express the opinion that any considerable advanve in the price of British coal, which did not equally apply to foreign coal, would injure the trade to the nearer ports, carried on in collier steamers which after discharging their cargoes return in ballast to reload.

The Committee considers that some exceptions would have to be made in favor of certain seams or districts and of certain classes of men, such as overmen, men working mechanical coal cutters, etc.

The Committee lays great stress on the effect of a possible reduction in the output of coal upon other industries, which are all dependent upon the supply of coal to an extent unknown in any other country. They consider this aspect of the question a matter "of greater national importance than any immediate effects on the owners or workers in colleries." In view of the great interests involved, they suggest that when a special statutory protection is afforded to the workers in a special trade of so great a national importance, "it may be considered advisable in this country, as it has been considered advisable in all other countries which have enacted such laws, to reserve in the hands of the department of the government controlling mines certain powers of suspension and of exception in the public interest."

Results of an Eight-Hour Day in Government Workshops in France.

As a result of several experiments the eight-hour day was introduced by a number of state establishments in France, in 1901. Upwards of 35,000 workmen were affected by the change. In a paper published by the Ministry of Labor and Social Thrift,* a resumé of the effect of the change is given.

In the post and telegraph workshops a reduction of hours from 10 to 8 brought no immediate decrease in production but later a

* Notes sur la journée de huit heures dans les établissements industriels de l'état. Paris, 1906.

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decrease of from 10 to 20 per cent was noted. Simultaneous with the reduction in hours, however, was a change from piece to day work which may account, in part at least, for the decrease. At the same time an increased efficiency and greater economy resulted.

In the marine engineering workshops a reduction in hours accompanied by a change from piece to day work resulted, in general, in a decrease in output of from 10 to 15 per cent. At Rochefort and Toulon, the increase in the duration of a given task was estimated at 1.4 per cent, an increase in the cost of construction at 7.5 per cent, and an increase in the intensity of work at 14 per cent. At the Indret works, on the other hand, the working of the new schedule has been eminently satisfactory. The trade unions contend that the decrease is due to the curtailment of orders and point to the improvement in the well-being of the workmen.

In the naval artillery shops while there has been a decrease in production, it is argued that the use of improved tools would bring the output up to the former amount.

After an experiment at the Tarbes workshops by the ministry of war in reducing the workday from 10 to 8 hours, it was decided that a two-hour reduction would inflict serious loss on the state, and could only come gradually and concurrently with improvements in tools and in processes of manufacture. A nine-hour day was, therefore, introduced in 1905.

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TABULAR STATEMENT OF LABOR BUREAUS WHICH

[From "Reichs-Arbeitsblatt,"

COUNTRY OR STATE.	Title of bureau.	Date of foundation.*	Position in administrative system.
United States.....	Bureau of Labor.....	1884..... (1888, 1903)	In Department of Commerce and Labor.
Massachusetts.....	Bureau of Statistics of Labor.	1869.....	Unattached.....
New York.....	Department of Labor..	1883..... (1901)	Unattached.....
Argentine Republic .	Departamento Nacional del Trabajo.	1907.....	.....
Canada.....	Department of Labor..	1900.....	Under the Minister of Labor
Great Britain.....	Labor Department.....	1886..... (1893)	In the Board of Trade.....
New Zealand.....	Department of Labor..	1891..... (1903)	Under the Minister of Labor
Austria.....	Arbeitsstatistisches Amt	1898.....	In the Department of Commerce.
Belgium.....	Office du Travail.....	1894..... (1895, 1897)	In Department of Industry and Labor.
France.....	Direction du Travail...	1891..... (1900, 1906)	Department of Labor and Social Economy.
Germany.....	Abteilung für Arbeiterstatistik.	1891..... (1902)	Division of the Statistical Bureau.
Italy.....	Ufficio del Lavoro.....	1903.....	In Department of Agriculture, Industry and Commerce.
Netherlands.....	Centraal Bureau voor de Statistiek.	1899.....	In the Department of the the Interior.
Norway.....	Statistiske Centralbureau.	1903.....	Includes a section devoted to social statistics.
Sweden.....	Afdelning för Arbetsstatistik.	1903.....	In the Commerce Commission.
Spain.....	Instituto de Reformas Sociales.	1900..... (1903)	In the Department of the Interior.

*Dates within parenthesis marks designate year when re-organized.

†NOTE.—In addition to the countries herein mentioned, Uruguay has recently established a Bureau of Labor, Hungary a Musée Social (in the Department of Commerce) and Finland a Bureau of Industry, which issues a journal entitled "Arbetsstatistik Tidskrift utgiefen af Industristyrelsen i Finland." Belgium has, moreover, established a separate *Office des Classes Moyennes*, which is charged with investigations looking to the protection of the independent merchants and producers.

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PUBLISH PERIODICAL JOURNALS OR BULLETINS.†

April, 1907, revised.]

Scope of activities.	Publications.	
	Bulletins or journals.	Reports.
Statistics of labor; conciliation in disputes affecting interstate commerce.	Bi-monthly "Bulletin".	Annual (20) and special (12) reports.
Statistics of labor; state census; municipal statistics; public employment bureau.	Monthly "Bulletin"....	Annual reports.
Three bureaus: Labor statistics, Factory Inspection, Mediation and Arbitration.	Quarterly "Bulletin"...	Annual reports.
Statistics of labor; preparation of labor legislation.	Quarterly "Boletin"...	.....
Statistics of labor and industries; conciliation and arbitration; enforcement of "Fair Wages Resolution."	Monthly "Labor Gazette".	Annual report on operations of the Department.
Statistics of labor; conciliation	Monthly "Labor Gazette".	Annual reports on trade unions, strikes and lockouts, changes in wages and hours, abstract of labor statistics, etc. Special reports.
Statistics of labor; enforcement of labor laws, etc.	Monthly "Journal"....	Annual report on factories inspected, wages, etc.
Statistics of labor; advisory council; supervision of provident institutions.	Monthly "Soziale Rundschau".	Annual reports on strikes and lockouts, overtime, operations of bureau, etc. Special reports and investigations.
Comprises 5 Sections: Statistics, Legislation, Enforcement of Labor Laws, Factory Inspection, Provident Institutions.	Bi-weekly "Revue du Travail".	Annual reports on labor legislation (in all countries), factory inspection, etc. Census. Special reports and inquiries.
Labor and general statistics; enforcement of labor laws, supervision of provident societies, trade organizations, etc.	Monthly "Bulletin de l'office du Travail". Bi-monthly "Bulletin-Inspection".	Year book, and annual reports on strikes and trade organizations. Special reports and inquiries.
Statistics and investigations of the Commission of Labor.	Monthly "Reichs-Arbeitsblatt".	Annual reports on strikes. Special reports and investigations.
Two Sections: Labor Statistics, observation of social legislation and study of reforms.	Monthly "Bolletino"...	Special reports.
General statistics.....	"Maandschrift".....	Annual reports on strikes; special reports.
General statistics.....	Bi-monthly "Arbeids-Markedet".	Occasional reports on wages, etc.
Statistics of labor.....	Quarterly "Meddelanden".	Special reports.
Preparation and enforcement of labor laws; conduct of employment agency, etc.	Monthly "Boletin"....	Special reports.

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RECENT LABOR REPORTS.

UNITED STATES.

Statistics of women at work; based on unpublished information derived from the schedules of the twelfth census, 1900. Special reports of the Census Office, S. N. D. North, director, Washington, 1907, 399 pages.

Bulletin of the Bureau of Labor, No. 70, May, 1907, 316 pages (paper cover).

Contents: The Italian on the land: A study in immigration (by Emily Fogg Meade, 61 pages); a short history of labor legislation in Great Britain (by A. Maurice Low, 45 pages); the British workmen's compensation acts (by Launcelot Packer, B. L. (74 pages); digest of recent reports of state bureaus of labor statistics (New York, Ohio, Pennsylvania, 12 pages); digest of foreign statistical publications (44 pages); decisions of courts affecting labor (51 pages); laws relating to labor enacted in 1906 (in Kentucky, Louisiana, Maryland, Massachusetts, New Jersey, Ohio, Pennsylvania and Virginia, 23 pages); cumulative index of labor laws and decisions (6 pages).

ILLINOIS.

Thirteenth biennial report of the Bureau of Labor Statistics of the State of Illinois, 1904. David Ross, secretary, Springfield, 1907, 665 pages.

Part I contains statistics of manufactures in 1904, collected by the Federal Bureau of the Census, with special tabulations of weekly wages (classified); Part II (pages 139–166) is an investigation of earnings, working time, ownership of homes, maturity, age, etc., of employees of coal mines.

MASSACHUSETTS.

Report of the commission on industrial education, March, 1907, 71 pages (paper bound).

The first report of the permanent commission created upon the recommendation of the investigating commission of 1905. Extracts from the report are printed elsewhere in the BULLETIN.

Labor bulletin of the commonwealth of Massachusetts, published by the Bureau of Statistics of Labor, Nos. 50 and 51 (June, July, August).

Contents of No. 50: Manufactures in Massachusetts and other states, 1900-1905 (4 pages); changes in rates of wages and hours of labor in 1906 (5 pages); free employment offices in the United States (13 pages); estimated population of Massachusetts cities (1 page); trade unions in foreign countries, 1905 (1 page); quarterly record of strikes and lockouts (1 page); trade union notes (2 pages); industrial agreements (3 pages); recent court decisions relating to labor (4 pages); excerpts and statistical abstracts (8 pages); industrial information (4 pages).

Contents of No. 51: Birthplaces of inhabitants of Massachusetts and Boston (11 pages); Massachusetts forestry (2 pages); the deaf in Massachusetts according to the state census of 1905 (13 pages); wage agreements in Fall River cotton mills (7 pages); titles of Massachusetts labor laws of 1907 (2 pages); free employment offices in foreign countries (5 pages); municipal pawnshops in France and Germany (5 pages); employees' mutual benefit associations in Massachusetts (3 pages); industrial chronology, agreements, notes, decisions, excerpts, abstracts, etc. (21 pages).

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MINNESOTA.

Tenth biennial report of the Bureau of Labor of the State of Minnesota, 1905–1906. W. H. Williams, commissioner, St. Paul, 1906, 534 pages.

Contents: Factory inspection (including statistics of employees, night work and Sunday work), pages 1–266; child labor, pages 267–342; railroad switch-yards, pages 343–362; labor organizations — membership (29,978) wages, hours of work, dues, benefits — pages 363–406; licensed employment bureaus, pages 407–412; free public employment bureaus, pages 413–427; instructions for first aid to injured factory operators, pages 428–430; mining operations and mine inspection, pages 431–476; (United States) census of manufactures, 1905, pages 477–511; labor laws (revised), pages 512–529; blank forms used by the Bureau, pages 530–534.

NEW YORK.

A summary of the compulsory attendance and child labor laws of the states and territories of the United States, compiled by James D. Sullivan, chief of attendance division of the New York State Education Department. New York State Library Bulletin 114, July, 1907, 112 pages (paper cover).

Second report of the tenement-house department of the city of New York, July 1, 1903, to December 31, 1905. Edmond J. Butler, commissioner, 1907, 167 pages, maps and illustrations.

NORTH CAROLINA.

Twentieth annual report of the Bureau of Labor and Printing of the State of North Carolina, 1906. H. B. Varner, commissioner, Raleigh, 1906, 350 pages.

Contents: Chapter I, condition of farmers, pages 9–106; II, condition of the trades, pages 107–135; III, miscellaneous factories, pages 136–207; IV, cotton, woolen and knitting mills, pages 208–266; V, furniture factories, pages 267–284; VI, the state's newspapers, pages 285–331; VII, railway employees, pages 333–341.

OHIO.

Twenty-third annual report of the department of inspection of workshops, factories and public buildings to the governor of the state of Ohio for the year 1906. J. H. Morgan, chief inspector, Columbus, O., 1907, 284 pages.

FOREIGN COUNTRIES.

ARGENTINE REPUBLIC.

Boletin del Departamento Nacional del Trabajo. Republica Argentina, Buenos Aires, 1907, 152 pages (paper bound).

First quarterly Bulletin issued by the recently organized Labor Department of the Argentine Republic. Contents: Historical sketch of the organization of the department; an account of the railroadmen's strike of the Gran Oeste Argentino; proposed laws for the regulation of women and children's work; statistics of strikes in the city of Buenos Ayres; directory of workmens' and manufacturers' associations in the city of Buenos Ayres. etc.

AUSTRALIA.

Report on the working of the factories and shops' act, early closing acts, shearers' accommodation act, etc., during the year 1906. Department of Labor and Industry, New South Wales, Sydney, 1907. Pages iv+50 (paper covers).

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Report of the inspector of factories, work-rooms and shops for the year ended 31st December, 1906. H. Ord, chief inspector, Melbourne, Victoria, 1907, 101 pages (unbound).

More than three-fourths of the contents relate to the Special Wages' Boards, which establish rates of wages to be paid in particular industries. In the year 1906 the Legislature authorized the creation of eleven new boards, making 49 now in existence, affecting about 50,000 wage earners. The inspector gives particulars of proceedings before each of the boards, schedules of wage rates established, statistics of wages, etc. The original purpose of the law was to abolish "sweating," but its scope has been extended to include trades that are underpaid or that complain of "unfair competition" on the part of some of the employers.

AUSTRIA.

Arbeitszeitverlängerungen (überstunden) im jahre 1906, in fabriksmässigen betrieben. Wien, 1907, 36 pages (paper covers).

In 1906 the authorities permitted 793 factories to operate overtime (more than eleven hours a day), affecting 60,907 of their 168,979 employees. The total number of extra hours (3,854,229) was considerably less than in 1905 and approximately the same as in 1904.

Die arbeitszeit in den fabriksbetrieben Oesterreichs, dargestellt vom K. K. arbeitsstatistischen amte im handelsministerium. Wien, 1907. Pages xcvi+459 and two colored plates (paper covers).

This comprehensive report on hours of work in Austrian factories gives separate statistics for establishments in continuous operation, which quite generally have two shifts of twelve hours each. The factories not in continuous operation usually run ten or eleven hours a day, the percentage of employees who work nine hours or less being only 8.8, those who work ten hours 45.9 per cent, and those who work over ten hours but not more than eleven hours, 43.8 per cent.

BELGIUM.

Annuaire de la législation du travail; publié par l'Office du Travail de Belgique. 10e Anneé, 1906. Bruxelles, 1907. Pages xx+690 (paper covers).

The yearbook of labor legislation, published by the Belgium bureau of labor, is now in its tenth year. It contains a French translation of the important labor laws of 1906 of all commercial countries.

CANADA.

Report of the Department of Labor for the year ended June 30, 1906. W. L. Mackenzie King, deputy minister of labor, Ottawa, 1906, 127 pages (paper covers).

Contents: I, the "Labor Gazette;" II, conciliation and arbitration; III, the carrying out of the fair wages resolution of the House of Commons of March, 1900; IV, the administration of the railway labor disputes act; V, the protection of labor to be employed in the construction of the Grand Trunk Pacific railway; VI, false representation to induce or deter immigration — action of department of labor in reference thereto; VII, administration of the alien labor laws; VIII, strikes and lockouts in Canada during the fiscal year 1905–1906, with comparative statistics for the calendar years 1901 to 1905, inclusive; IX, industrial accidents in Canada during the fiscal year 1905–1906, with comparative statistics for the calendar years 1904 and 1905; X, the library

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of the department; XI, the circulation of the "Labor Gazette;" XII, the distribution of the "Labor Gazette" and other publications of the department; XIII, inquiries, correspondence and other work of the department; XIV, revenue and expenditure.

Report of the Royal Commission on a dispute respecting hours of employment between the Bell Telephone Company of Canada, Ltd., and operators at Toronto, Ont. Issued by the Department of Labor, 1907. Pages x+102 (paper covers).

Reports of the special committee of the House of Commons to whom was referred bill No. 2, an act respecting industrial and co-operative societies, also with minutes of proceedings and evidence, addendum to evidence and exhibit No. 1. Ottawa, 1907. Pages xii+204 (paper covers).

Annual report of the bureau of industries of Ontario, 1905. Published by the Ontario Department of Agriculture, Toronto, 1906. Pages 48, iv, 192.

Contents: Part I, agricultural statistics (46 pages); Part II, chattel mortgages (1 page); Part III, municipal statistics (196 pages).

GERMANY.

Streiks und Aussperrungen im Jahre, 1906. Bearbeitet im Kaiserlichen Stattischen Amt, Berlin, 1907. Pages 100, 207 (paper bound).

The eighth annual report on strikes and lockouts in Germany shows that in 1906 there was another increase in the number of labor disputes, which characterized the period 1901–1905, although the number of workmen involved and the working time lost on account of such disputes fell below the figures for 1905. The report contains useful summaries of the statistics for the years 1899–1906, and also charts illustrating the recent statistics of foreign countries.

Die lohnverhältnisse der städtischen arbeiterschaft in Dresden in den jahren 1904 und 1905. Mitteilungen des statistischen amtes der stadt Dresden, 16 Heft. Dresden, 1907, 92 pages and folder (paper bound).

This publication of the Dresden statistical bureau gives the wages of municipal employees and laborers and contains in an appendix a report on the prices of food and the cost of living, with changes in consumption accompanying the advance.

GREAT BRITAIN.

Annual report of the chief inspector of factories and workshops for the year 1906. Arthur Whitelegge, chief inspector, London, 1907 [cd. 3586]. Pages xvii+379, quarto paper.

ITALY.

Le condizioni generali della classe operaia in Milano (Salari, giornate di lavoro, reddito, ecc): Risulti di un'inchiesta compiuta il 1 Luglio 1903 — corredata di tabelle statistiche e diagrammi. Pubblicagioni dell' ufficio del lavoro della societa umanitaria, Milano, 1907, 260 pages.

"This volume contains the results of an investigation, instituted in the summer of 1903, into the general conditions of the working classes of Milan. The inquiry was undertaken by the labor department of the Humanitarian Society at the instigation of the trades council who desired to obtain statistical details of to wages, hours of labor, piece work, etc., for the use of the various labor organizations represented on the council, while the Humanitarian Society sought at the same time to procure precise information as to

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the extent of the dearth of employment as a guide in the adoption of measures for the relief of the unemployed. As the municipal council of Milan had also decided to make an inquiry into the housing and sanitary accommodation, arrangements were made for the simultaneous delivery and collection of the schedules of questions relating to both inquiries. The persons to whom the schedules were distributed were asked to make their answers relate to 1st July, 1903. At the end of June meetings were held in the working-class districts to explain the objects of the investigations, and circulars were issued intimating that authorized persons would attend on certain evenings at the local schools to complete the schedules for those who were unable to understand them. The schedule issued by the labor department contained sixteen questions, in which the worker was asked, *inter alia*, to state his name and the date and place of his birth; how long he had lived in Milan; his trade; whether he worked at home, and if so, on his own account or not; on how many days he worked in the year and his daily wages; whether he was out of employment; how long he had been unemployed, and to what agency he applied for work," etc. (*Journal of the Royal Statistical Society*, June, 1907.)

NETHERLANDS.

Overzicht betreffende de loonen en den Arbeidsduur bij Rijkswerken (survey of wages and hours of labor on public works) in 1905. Uitgegeven door het Centraal Bureau voor de Statistiek (Bijdragen LXXIX), 's-Gravenhage, 1906, pages xxiv, 94.

Ongevallen statistiek betreffende het tijdvak, 1 Feb.-31 Dec., 1903. (Statistics of industrial accidents compiled in accordance with the workmen's insurance law of 1901.) Pages lx+421 quarto, paper.

SPAIN.

Resumen de los trabajos del Instituto desde su constitucion definitiva. Instituto de Reformas Sociales, Madrid, 1907, 64 pages (paper bound).

Review of the work accomplished by the "Instituto de Reformas Sociales" since its definitive organization.

Congresos sociales en 1906. Instituto de Reformas Sociales, Madrid, 1907, 164 pages (paper bound).

Account of international and national conventions of workingmen and bodies concerned with the study of social problems, in Europe and the United States, in the year 1906.

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APPENDIX.

STATISTICAL TABLES.

I. Result of the biennial school census, October, 1906.

For the Second Quarter, 1907 (April-June):

II. Record of work of the deputy factory inspectors.

III. Children's employment certificates issued in first and second class cities.

IV. Licenses issued for tenement manufactures.

V. Accidents in factories and quarries:

(a). Age and sex of persons injured.

(b). Causes and consequences of accidents.

VI. Building operations in New York City.

VII. Building operations in Buffalo, Rochester, Syracuse and Troy.

VIII. Number and percentage of unemployed members of representative trade unions.

IX. Causes of unemployment.

X. Idleness in New York City at the end of June.

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TABLE I.—RESULTS OF THE THIRD BI

From the Third Annual Report of

	CITY OR VILLAGE.*	CHILDREN OVER 8 AND UNDER 14 YEARS OF AGE.						CHILDREN
				OUT OF SCHOOL.				TOTAL
		Total.	Attending school.	Legally absent.	Illegally absent.	Truant.	Total.	Males.	Females.
1	Albany	8,377	8,298	34	42	3	79	1,151	1,185
2	Amsterdam	2,363	2,345	6	10	2	18	181	175
3	Auburn	2,929	2,892	16	20	1	37	359	350
4	Batavia (vil.)	984	961	10	13	.....	23	148	182
5	Binghamton	3,937	3,918	16	3	.....	19	525	546
6	Buffalo	50,964	50,040	18	828	78	924	5,582	5,295
7	Cohoes	2,531	2,502	14	10	5	29	288	361
8	Corning	1,221	1,207	6	8	.....	14	148	154
9	Cortland	900	891	5	3	1	9	132	160
10	Dunkirk	1,880	1,851	5	21	3	29	264	257
11	Elmira	3,067	3,055	1	7	4	12	466	464
12	Fulton	965	955	9	1	.....	10	144	153
13	Geneva	1,039	1,035	3	.....	1	4	139	174
14	Glens Falls (vil.)	987	982	4	.....	1	5	152	182
15	Gloversville	1,593	1,580	3	10	.....	13	239	242
16	Hornell	1,262	1,253	7	2	.....	9	176	188
17	Hudson	864	854	5	1	4	10	93	118
18	Ithaca	1,139	1,131	2	6	.....	8	183	179
19	Jamestown	2,798	2,781	16	1	.....	17	377	400
20	Johnstown	954	948	6	.....	.....	6	140	118
21	Kingston	2,842	2,817	6	19	.....	25	466	526
22	Little Falls	843	838	5	.....	.....	5	119	139
23	Lockport	1,713	1,697	9	7	.....	16	236	247
24	Middletown	1,380	1,369	6	5	.....	11	215	208
25	Mt. Vernon	2,790	2,763	16	8	3	27	345	356
26	New Rochelle	2,470	2,431	16	23	.....	39	231	275
27	New York	459,050	443,287	10,779	4,805	179	15,763	54,852	58,772
28	Newburgh	2,768	2,736	25	6	1	32	419	454
29	Niagara Falls	2,815	2,767	6	42	.....	48	392	386
30	North Tonawanda	1,172	1,171	1	.....	.....	1	116	142
31	Ogdensburg	1,583	1,568	5	9	1	15	211	214
32	Olean	1,404	1,396	6	2	.....	8	193	199
33	Oswego	2,469	2,440	29	.....	.....	29	411	405
34	Peekskill (vil.)	1,179	1,174	.....	3	2	5	182	159
35	Plattsburg	1,032	1,005	2	20	5	27	254	242
36	Port Chester (vil.)	1,304	1,280	13	11	.....	24	163	190
37	Poughkeepsie	2,300	2,261	25	9	5	39	279	271
38	Rensselaer	1,007	1,004	1	1	1	3	107	106
39	Rochester	18,086	17,933	54	79	20	153	2,554	2,741
40	Rome	1,383	1,379	2	2	.....	4	203	217
41	Saratoga Spg's (vil.)	1,236	1,214	6	16	.....	22	169	162
42	Schenectady	5,799	5,615	91	90	3	184	634	576
43	Syracuse	10,450	10,356	41	50	3	94	1,378	1,443
44	Tonawanda	1,029	1,023	3	2	1	6	175	158
45	Troy	7,283	7,228	6	47	2	55	981	873
46	Utica	6,096	5,994	28	67	7	102	1,114	831
47	Watertown	2,561	2,552	2	6	1	9	375	325
48	Watervliet	1,439	1,421	4	9	5	18	192	211
49	White Plains (vil.)	1,094	1,089	3	1	1	5	167	144
50	Yonkers	7,156	7,096	41	15	4	60	697	693
	Total	644,487	626,383	11,417	6,340	347	18,104	78,717	82,548

* Including the 45 cities (Oneida excepted) of the

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ENNIAL SCHOOL CENSUS, OCTOBER, 1906.

the State Education Department.

OVER 14 AND UNDER 16 YEARS OF AGE.								CHILDREN OVER 8 AND UNDER 16.			
NUMBER.		OUT OF SCHOOL.									
Total.	Attending school.	Legally absent.	Illegally absent.	Truant.	TOTAL. Males.	TOTAL. Females.	TOTAL. Total.	Total.	Out of school illegally.	Per centage.	
2,336	1,727	514	88	7	307	302	609	10,713	140	1.31	1
356	336	6	12	2	11	9	20	2,719	26	.96	2
709	642	38	28	1	27	40	67	3,638	50	1.37	3
330	270	44	15	1	27	33	60	1,314	29	2.21	4
1,071	889	179	3	.....	89	93	182	5,008	6	.12	5
10,877	6,747	2,256	1,824	50	2,287	1,843	4,130	61,841	2,780	4.50	6
649	337	269	43	.....	139	173	312	3,180	58	1.82	7
302	255	32	15	.....	28	19	47	1,523	23	1.51	8
292	273	14	4	1	11	8	19	1,192	9	.76	9
521	285	51	180	5	125	111	236	2,401	209	8.70	10
930	834	24	45	27	43	53	96	3,997	83	2.08	11
297	219	78	.....	.....	41	37	78	1,262	1	.08	12
313	283	25	5	.....	18	12	30	1,352	6	.44	13
334	311	23	.....	.....	12	11	23	1,321	1	.08	14
481	336	124	21	.....	73	72	145	2,074	31	1.49	15
364	298	29	37	.....	38	28	66	1,626	39	2.40	16
211	153	39	19	.....	30	28	58	1,075	24	2.23	17
362	338	12	12	.....	13	11	24	1,501	18	1.20	18
777	509	264	4	.....	139	129	268	3,575	5	.14	19
258	203	55	.....	.....	31	24	55	1,212	.....	.00	20
992	669	296	26	1	154	169	323	3,834	46	1.20	21
258	192	65	1	.....	27	39	66	1,101	1	.09	22
483	392	83	8	.....	48	43	91	2,196	15	.68	23
423	328	88	7	.....	57	38	95	1,803	12	67	24
701	624	58	19	.....	40	37	77	3,491	30	.86	25
506	407	61	37	1	53	46	99	2,976	61	2.05	26
113,624	71,247	39,035	3,272	70	20,535	21,842	42,377	572,674	8,326	1.45	27
873	537	330	5	1	162	174	336	3,641	13	.36	28
778	546	129	100	3	134	98	232	3,593	145	4.04	29
258	250	8	.....	.....	4	4	8	1,430	.....	.00	30
425	298	87	38	2	61	66	127	2,008	50	2.49	31
392	298	91	2	1	62	32	94	1,796	5	.28	32
816	476	338	2	.....	199	141	340	3,285	2	.06	33
341	259	75	7	.....	56	26	82	1,520	12	.79	34
496	234	237	25	.....	138	124	262	1,528	50	3.27	35
353	229	121	3	.....	58	66	124	1,657	14	.84	36
550	387	128	10	25	95	68	163	2,850	49	1.72	37
213	193	20	.....	.....	14	6	20	1,220	2	.16	38
5,295	2,946	2,083	260	6	1,112	1,237	2,349	23,381	365	1.56	39
420	295	109	16	.....	66	59	125	1,803	18	1.00	40
331	299	17	14	1	13	19	32	1,567	31	1.98	41
1,210	951	183	72	4	157	102	259	7,009	169	2.41	42
2,821	2,176	424	210	11	329	316	645	13,271	274	2.06	43
333	219	109	4	1	78	36	114	1,362	8	.59	44
1,854	1,298	432	124	.....	305	251	556	9,137	173	1.89	45
1,945	1,257	534	145	9	365	323	688	8,041	228	2.84	46
700	606	86	7	1	52	42	94	3,261	15	.46	47
403	299	76	25	3	49	55	104	1,842	42	2.28	48
311	271	22	14	4	28	12	40	1,405	20	1.42	49
1,390	1,239	122	29	.....	74	77	151	8,546	48	.56	50
161,265	104,667	49,523	6,837	238	28,014	28,584	56,598	805,752	13,762	1.71	

State and the six villages of 10,000 or more inhabitants.

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BUREAU OF FACTORY INSPECTION.

Table II.—Record of Deputy Factory Inspectors.

	SECOND QUARTER, 1907.				SECOND QUARTER, 1906.
	April.	May.	June.	Total.	
Regular inspections:					
Factories in separate buildings	1,122	1,457	1,207	3,786	
Tenant factories	2,777	1,995	1,528	6,300	11,054
Laundries	210	159	195	564	
Bakeries	312	356	278	946	992
Mines or quarries	10	25	38	73	40
Tenant factory buildings	25	20	11	56	.....
Tenement buildings (licensed)	626	373	437	1,436	§
Total	5,082	4,385	3,694	13,161	.....
Special inspections (factories, laundries, bakeries)	96	125	109	330	.....
Investigations:					
Accidents	.....	.....	.....	.....	34
Applications for license	251	348	320	919	726
Complaints	60	70	56	186	122
Compliances (No. of establishments)	3,347	3,450	2,895	9,692	4,054
On special orders	133	95	32	260	*
Total	3,791	3,963	3,303	11,057	.....
Observations—Tenement buildings (unlicensed)	548	727	577	1,852	§
Tagging, to stop work:					
Goods in tenements (§ 100)	18	24	13	55	41
Goods in tenant factories (§ 95)	41	35	38	114	.....
Articles in bakeries (§ 114)	4	2	1	7	.....
Unsafe machinery (§ 81)	.....	.....	.....	.....	.....
Scaffolding (§ 19)	.....	.....	.....	.....	*
Total	63	61	52	176	*
Prosecutions begun	12	16	2	30	*
Days or parts of days on court work	105	77	25	207	*
Days consumed by illness or travel	53¾	101¼	117	272	*
Days absent by leave or vacation	19¾	45	49½	114½	*

Table III.—Number of Children's Employment Certificates Issued by Boards of Health in First and Second Class Cities.

	SECOND QUARTER, 1907.				SECOND QUARTER, 1906.
CITY.	Apr.	May.	June.	Total.	
New York City:					
Bronx Borough	157	114	203	474	434
Brooklyn Borough	128	49	77	254	379
Manhattan Borough	1,102	859	1,501	3,462	3,162
Queens Borough	48	40	63	151	142
Richmond Borough	22	5	15	42	42
Total—New York City	1,457	1,067	1,859	†4,383	†4,159
Buffalo	132	87	226	445	304
Rochester	64	65	160	289	372
Syracuse	49	53	109	211	244
Albany	16	9	27	52	96
Troy	16	4	93	113	71
Utica	34	32	42	108	130
Yonkers	10	5	8	23	11
Schenectady	22	19	57	98	56

* No record kept.
†Includes "mercantile" as well as "manufacturing" certificates.
§ Licensed and unlicensed apartments inspected—149.

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BUREAU OF FACTORY INSPECTION.

Table IV.—Licenses for Tenement Manufactures.

		Second Quarter, 1907.			Total Oct. 1, 1904 to June 30, 1907.
		New York City.	Remainder of State.	Total.	
Applications pending March 31, 1907		60	.....	60	.....
Applications received		792	6	798	9,647
Total		852	6	858	9,647
(1) Applications for dwellings without clear record from local health or tenement-house authorities and therefore	refused	.....	.....	.....	1,775
(2) Applications for dwellings with clear record from health and tenement-house authorities, investigated by factory inspector and	granted	585	4	589	4,859
	refused	83	.....	83	1,551
	standing*	35	.....	35	253
(3) Applications for shop buildings investigated by factory inspector and	granted	15	2	17	665
	refused	4	.....	4	177
	standing*	.....	.....	.....	3
Applications refused† in class 1 with subsequent report of compliance with orders of health or tenement-house authorities, investigated by factory inspector and	granted	32	.....	32	884
	refused	11	.....	11	394
Applications refused† in classes 2 or 3, subsequently re-investigated and	granted	116	.....	116	1,399
	refused	31	.....	31	860
Total applications granted		748	6	754	7,807
Total applications refused (net‡)		61—	.....	61—	1,220
Total applications standing*		35	.....	35	256
Applications cancelled by applicants		5	.....	5	212
Applications duplicated		.....	.....	.....	27
Applications pending June 30, 1907		125	.....	125	125
Licenses cancelled at request of applicants		85	.....	85	208
Licenses revoked for unlawful conditions		.....	.....	.....	5
Net increase in outstanding licenses		663	6	669	.....
Licenses outstanding March 31, 1907		6,464	461	6,925	.....
Licenses outstanding June 30, 1907		7,127	467	7,594	7,594

*These are cases in which investigation showed no work being done or likely to be done on the premises and in which no further application for the license was received after investigation.

†In present or previous quarters.

‡The number of buildings held to be below the requirements for licensing was 1,281 at the beginning of the quarter. As the result of re-applications and re-inspections during the quarter, the number of rejected applications was reduced to 1,220.

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TABLE V.—ACCIDENTS IN FACTORIES AND QUARRIES, APRIL-JUNE, 1907.

(a) Age and Sex of Persons Injured.

CAUSE. [n. e. s.=Not elsewhere specified.]	Under 16 years.	16–18 years.	18 years +	Age not stated.	TOTAL.	Male.	Female.
MECHANICAL POWER.							
Transmission of power:							
Motors (engines, dynamos, flywheels, etc.)	.....	.....	36	.....	36	36	.....
Air fans, steam pumps, etc	.....	.....	6	.....	6	6	.....
Gearing on all machines	.....	8	98	.....	106	97	9
Set screws	.....	.....	13	.....	13	12	1
Shafting	1	.....	26	.....	27	25	2
Belts and pulleys	1	7	94	.....	102	96	6
Conveying and hoisting apparatus:							
Elevators and lifts	2	13	69	.....	84	80	4
Cranes (steam, electric, portable, etc.)	.....	2	36	.....	38	38	.....
Hoisting and conveying machinery and apparatus, n. e. s.	1	7	260	2	270	266	4
Locomotives and trains	.....	1	71	.....	72	72	.....
Wood working machines:							
Saws	2	12	184	1	199	198	1
Planers	.....	2	48	.....	50	50	.....
Jointers or buzz planers	.....	2	17	.....	19	19	.....
Shapers	1	.....	15	.....	16	16	.....
Lathes	.....	1	6	.....	7	7	.....
Heading machines	.....	.....	1	.....	1	1	.....
Other wood working machines	.....	5	41	.....	46	45	1
Paper and printing machinery:							
Barkers	.....	.....	10	.....	10	10	.....
Callenders and other paper making machines	.....	10	91	.....	101	97	4
Paper cutting, stitching and staying machines	.....	10	45	.....	55	32	23
Printing presses	2	11	23	2	38	32	6
Textile machinery:							
Picking machines	.....	.....	13	.....	13	12	1
Carding machines	1	2	17	.....	20	18	2
Spinning machines	1	3	5	.....	9	5	4
Looms	.....	3	28	.....	31	11	20
Formers, knitting machines and other textile machinery	.....	6	45	.....	51	33	18
Sewing machines, etc	.....	5	13	1	19	10	9
Laundry machines	.....	.....	10	.....	10	6	4
Leather working machinery	.....	2	25	.....	27	24	3
Metal working machinery:							
Stamping machines	4	40	185	.....	229	196	33
Drilling and milling machines	.....	11	98	.....	109	105	4
Screw machines	.....	1	13	.....	14	14	.....
Lathes	.....	6	42	.....	48	48	.....
Drop and power hammers	.....	2	30	.....	32	32	.....
Shears	.....	4	29	.....	33	33	.....
Rollers	.....	.....	41	.....	41	41	.....
Others	1	12	123	.....	136	125	11
Polishing machines:							
Contact with grindstones, emery wheels, etc	1	6	45	.....	52	52	.....
Struck by fragments of polishing wheels	.....	3	39	.....	42	42	.....
Other	1	2	23	.....	26	26	.....
Machines used in bakeries, confectionery establishments, etc	.....	2	13	.....	15	14	1
Machines not elsewhere specified	1	8	81	.....	90	79	11
Total	20	209	2,108	6	2,343	2,161	182
HEAT AND ELECTRICITY.							
Explosives (powder, dynamite, etc.)	.....	4	12	.....	16	13	3
Explosion and ignition of gases	.....	.....	31	.....	31	29	2
Explosion of boilers and steam pipes	.....	.....	5	.....	5	5	.....
Other injuries from steam and hot liquids	.....	2	50	.....	52	51	1
Caustics	.....	.....	37	.....	37	37	.....
Explosion of molten metals	.....	.....	12	.....	12	12	.....
Other accidents from molten metal	.....	2	74	.....	76	76	.....
Vats, pans, etc. (containing hot liquids or caustics)	.....	.....	8	.....	8	8	.....
Electricity	.....	3	52	.....	55	54	1
Fire and heat, n. e. s.	.....	3	78	.....	81	78	3
Total	.....	14	359	.....	373	363	10

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TABLE V.—ACCIDENTS IN FACTORIES AND QUARRIES, APRIL–JUNE, 1907.

(a) Age and Sex of Persons Injured—(Continued).

CAUSE. [n. e. s.=Not elsewhere specified.]	Under 16 years.	16–18 years.	18 years +	Age not stated.	TOTAL.	Male.	Fem.
FALL OF PERSON.							
Fall from ladder, scaffold, platform, etc.	.....	2	62	.....	64	64	.....
Fall from machinery, trucks, engines, etc.	.....	2	59	.....	61	61	.....
Fall caused by collapse of support	.....	1	44	.....	45	45	.....
Fall through opening in floor	.....	.....	20	.....	20	20	.....
Fall in hoistway shaft, etc.	.....	1	14	.....	15	15	.....
Fall on stairs, steps, etc.	2	1	19	.....	22	18	4
Fall on level by slipping	.....	4	18	.....	22	21	1
Fall on level by tripping	.....	3	21	.....	24	21	3
All others	1	8	86	.....	95	90	5
Total	3	22	343	.....	368	355	13
INJURED BY WEIGHTS.							
Falling rock and earth (quarrying, excavating, etc.)	.....	.....	25	.....	25	25	.....
Falling pile of material (lumber, coal, cement, etc.)	.....	.....	54	.....	54	54	.....
Falling walls, doors and other objects	.....	3	239	1	243	240	3
Tools or weights dropped by person injured	.....	2	69	.....	71	71	.....
Falling objects dropped by other persons	.....	2	19	.....	21	21	.....
Heavy materials or parts on which injured persons were at work	.....	1	70	.....	71	71	.....
Machinery being moved	.....	3	52	.....	55	55	.....
Fall of materials from trucks in transit	.....	.....	54	.....	54	54	.....
Handling of castings, flasks, etc.	.....	2	158	.....	160	160	.....
Handling of stone, ore, etc.	.....	1	31	1	33	33	.....
Handling of lumber, paper and other materials	.....	3	60	.....	63	62	1
Loading or unloading	.....	3	138	1	142	142	.....
Cause insufficiently described for classification	.....	3	46	.....	49	49	.....
Total	.....	23	1,015	3	1,041	1,037	4
FLYING OBJECTS.							
Struck in eye by piece of metal, glass, etc.	2	3	112	1	118	115	3
Other injuries from flying objects	.....	.....	59	.....	59	56	3
Total	2	3	171	1	177	171	6
VEHICLES AND ACCIDENTS CAUSED BY ANIMALS	1	2	116	.....	119	119	.....
MISCELLANEOUS.							
Hand tools (hammers, knives, wrenches, files, etc.)	.....	14	131	1	146	141	5
Tools in hands of fellow workmen	.....	.....	43	.....	43	43	.....
Injured while fitting and assembling, n. e. s.	1	6	56	.....	63	61	2
Hand caught on nail, wire, sharp projection, etc.	.....	7	88	.....	95	92	3
Hand cut on glass	.....	2	14	.....	16	11	5
Injured by stepping on nail sliver, etc.	.....	4	65	1	70	68	2
Inhalation of poisonous gases	.....	.....	11	1	12	12	.....
All other causes	.....	5	94	1	100	96	4
Total	1	38	502	4	545	524	21
GRAND TOTAL	27	311	4,614	14	4,966	4,730	236

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Table V.—(b) Causes and Results of Accidents in

CAUSE. [n. e. s.=Not elsewhere specified.]	Grand total.	TEMPORARY				
		Lacerations.	Burns.	Cuts.	Bruises.	Sprains.
MECHANICAL POWER.						
Transmission of power:						
Motors (engines, dynamos, fly wheels, etc.)	36	7	2	4	3	2
Air fans, steam pumps, etc.	6	1	.....	1	.....	.....
Gearing on all machines	106	33	.....	10	9	.....
Set screws	13	1	.....	2	2	1
Shafting	27	3	.....	.....	4	.....
Belts and pulleys	102	16	3	18	12	5
Conveying and hoisting apparatus:						
Elevators and lifts	84	7	.....	6	15	5
Cranes (steam, electric, portable, etc.)	38	4	.....	.....	7	2
Hoisting and conveying machinery and apparatus, n. e. s.	270	50	1	18	61	4
Locomotives and trains	72	3	1	1	13	.....
Wood working machines:						
Saws	199	54	.....	24	10	.....
Planers	50	5	.....	11	2	.....
Jointers or buzz planers	19	5	.....	3	.....	.....
Shapers	16	5	.....	4	.....	.....
Lathes	7	1	.....	.....	1	.....
Heading machines	1	.....	.....	.....	1	.....
Other wood working machines	46	9	.....	8	2	1
Paper and printing machinery:						
Barkers	10	1	.....	1	1	.....
Callenders and other paper making machines	101	16	5	5	15	3
Paper cutting stitching and staying machines	55	18	.....	8	8	.....
Printing presses	38	7	.....	2	11	.....
Textile machinery:						
Picking machines	13	4	.....	1	2	.....
Carding machines	20	8	.....	3	1	.....
Spinning machines	9	3	.....	2	1	.....
Looms	31	6	.....	10	7	.....
Formers, knitting machines and other textile machinery	51	14	.....	7	10	1
Sewing machines, etc.	19	6	.....	4	2	.....
Laundry machines	10	3	4	.....	1	.....
Leather working machinery	27	4	.....	5	2	.....
Metal working machinery:						
Stamping machines	229	23	.....	10	9	.....
Drilling and milling machines	109	16	.....	29	7	2
Screw machines	14	2	.....	4	.....	.....
Lathes	48	9	.....	15	5	.....
Drop and power hammers	32	2	.....	1	8	.....
Shears	33	11	.....	4	2	.....
Rollers	41	6	3	3	7	.....
Others	136	34	.....	22	12	4
Polishing machines:						
Contact with grindstones, emery wheels, etc.	52	11	3	10	2	.....
Struck by fragments of polishing wheels	42	3	.....	5	1	.....
Other	26	5	.....	8	1	.....
Machines used in bakeries, confectionery establishments, etc.	15	1	.....	1	.....	.....
Machines not elsewhere specified	90	14	1	16	15	.....
Total	2,343	431	23	286	272	[redacted]30
HEAT AND ELECTRICITY.						
Explosives (powder, dynamite, etc.)	16	1	6	1	.....	.....
Explosion and ignition of gases	31	.....	23	2	.....	.....
Explosion of boilers and steam pipes	5	1	2	.....	.....	.....
Other injuries from steam and hot liquids	52	.....	43	.....	.....	.....
Caustics	37	.....	35	.....	.....	.....
Explosion of molten metals	12	.....	8	.....	.....	.....
Other accidents from molten metal	76	.....	70	.....	.....	.....
Vats, pans, etc. (containing hot liquids or caustics)	8	.....	5	.....	.....	.....
Electricity	55	.....	33	1	.....	1
Fire and heat, n. e. s.	81	.....	71	.....	1	.....
Total	373	2	296	4	1	1

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Factories and Quarries, April 1-June 30, 1907.

DISABLEMENT.				Serious injuries, probably permanent.	PERMANENT DISABLEMENT.							Deaths.
					LOSS OF ONE OR BOTH—							
Fractures.	Plural injuries.	Other.	Total.		Limbs.	Hands or feet.	Fingers.	Eyes.	Internally.	All others	Total.	
.....	4	2	24	4	.....	.....	5	.....	1	.....	6	2
1	3	.....	6	.....	.....	.....	.....	.....	.....	.....	.....	.....
.....	3	.....	55	21	2	2	23	.....	.....	2	29	1
.....	3	.....	9	1	.....	.....	1	.....	1	.....	2	1
.....	6	3	16	2	.....	.....	1	.....	.....	2	3	6
6	15	2	77	10	2	.....	7	.....	.....	3	12	3
8	22	1	64	7	.....	1	1	.....	1	2	5	8
.....	3	1	17	10	.....	3	2	.....	2	2	9	2
9	44	6	193	42	2	1	16	.....	3	6	28	7
4	12	.....	34	12	4	3	5	.....	2	4	18	8
1	5	7	101	21	.....	1	59	.....	4	9	73	4
.....	.....	1	19	5	.....	1	25	.....	.....	.....	26	.....
.....	.....	1	9	.....	.....	.....	9	.....	.....	1	10	.....
.....	.....	.....	9	1	.....	.....	5	.....	.....	1	6	.....
.....	.....	.....	2	3	.....	1	1	.....	.....	.....	2	.....
.....	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....
.....	1	2	23	7	.....	.....	14	1	.....	1	16	.....
.....	.....	.....	3	1	.....	.....	4	.....	.....	2	6	.....
2	12	3	61	23	.....	1	11	.....	.....	4	16	1
1	.....	.....	35	5	.....	.....	14	.....	1	.....	15	.....
3	2	1	26	3	.....	1	5	.....	.....	3	9	.....
.....	1	.....	8	.....	.....	1	3	.....	.....	.....	4	1
.....	1	.....	13	2	1	1	2	.....	.....	1	5	.....
.....	1	.....	7	1	.....	.....	1	.....	.....	.....	1	.....
.....	1	2	26	4	.....	.....	1	.....	.....	.....	1	.....
.....	1	3	36	8	2	.....	5	.....	.....	.....	7	.....
.....	.....	6	18	.....	.....	.....	1	.....	.....	.....	1	.....
1	.....	.....	9	.....	.....	1	.....	.....	.....	.....	1	.....
.....	1	3	15	2	1	1	6	.....	.....	2	10	.....
2	3	6	53	52	.....	1	117	.....	.....	6	124	.....
4	10	6	74	13	.....	.....	21	.....	.....	1	22	.....
.....	1	2	9	2	.....	.....	2	.....	.....	.....	2	1
2	3	1	35	4	.....	.....	5	1	1	2	9	.....
.....	1	.....	12	11	.....	.....	8	.....	.....	1	9	.....
.....	2	.....	19	3	.....	.....	11	.....	.....	.....	11	.....
1	10	1	31	6	.....	.....	3	.....	.....	1	4	.....
3	7	8	90	19	.....	.....	20	1	.....	5	27	.....
1	.....	8	35	8	.....	.....	8	.....	.....	1	9	.....
.....	3	24	36	2	.....	.....	.....	1	.....	1	2	2
.....	.....	2	16	6	.....	.....	1	.....	.....	3	4	.....
1	2	1	6	4	1	.....	2	.....	.....	1	4	1
3	7	5	61	16	.....	1	9	.....	1	2	13	.....
53	190	108	1,393	341	15	21	435	4	17	69	561	48
.....	2	.....	10	2	.....	.....	.....	1	.....	.....	1	3
.....	1	.....	26	1	.....	.....	.....	1	.....	1	2	2
.....	1	.....	4	1	.....	.....	.....	.....	.....	.....	.....	.....
.....	3	.....	46	6	.....	.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	35	1	.....	.....	.....	1	.....	.....	1	.....
.....	1	.....	9	2	.....	.....	.....	.....	.....	1	1	.....
.....	1	.....	71	3	.....	.....	.....	.....	.....	2	2	.....
.....	.....	.....	5	1	.....	.....	.....	.....	.....	.....	.....	2
.....	9	4	48	1	.....	.....	.....	1	1	.....	2	4
.....	3	2	77	1	.....	.....	.....	.....	.....	.....	.....	3
.....	21	6	331	19	.....	.....	.....	4	1	4	9	14

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Table V.—(b) Causes and Results of Accidents in Factories

CAUSE. [n. e. s.=Not elsewhere specified.]	Grand total.	Temporary				
		Lacerations.	Burns.	Cuts.	Bruises.	Sprains.
FALL OF PERSON.						
Fall from ladder, scaffold, platform, etc	64	3	.....	1	15	13
Fall from machinery, trucks, engines, etc	61	1	.....	4	16	13
Fall caused by collapse of support	45	2	.....	1	11	9
Fall through opening in floor	20	.....	.....	3	7	3
Fall in hoistway, shaft, etc	15	.....	.....	1	1	1
Fall on stairs, steps, etc	22	1	.....	1	4	4
Fall on level by slipping	22	2	.....	7	3	4
Fall on level by tripping	24	2	.....	3	3	8
All others	95	13	1	6	17	13
Total	368	24	1	27	77	68
INJURED BY WEIGHTS.						
Falling rock and earth (quarrying, excavating, etc.)	25	3	.....	2	10	1
Falling pile of material (lumber, coal, cement, etc.)	54	7	.....	5	20	.....
Falling walls, doors and other objects	243	55	1	32	88	3
Tools or weights dropped by person injured	71	18	.....	4	31	2
Falling objects dropped by other persons	21	3	.....	5	8	.....
Heavy materials or parts on which injured persons were at work	71	13	1	4	24	6
Machinery being moved	55	12	.....	7	18	1
Fall of materials from trucks in transit	54	10	.....	3	19	1
Handling of castings, flasks, etc	160	25	1	14	55	9
Handling of stone, ore, etc	33	5	1	6	8	3
Handling of lumber, paper and other materials	63	10	.....	6	18	8
Loading or unloading	142	32	1	8	59	7
Cause insufficiently described for classification	49	13	.....	1	13	9
Total	1,041	206	5	97	371	50
FLYING OBJECTS.						
Struck in eye by piece of metal, glass, etc	118	3	4	11	6	.....
Other injuries from flying objects	59	15	1	20	9	.....
Total	177	18	5	31	15	.....
VEHICLES AND ACCIDENTS CAUSED BY ANIMALS	119	25	.....	4	32	8
MISCELLANEOUS.						
Hand tools (hammers, knives, wrenches, files, etc.)	146	35	.....	67	23	2
Tools in hands of fellow workmen	43	9	.....	10	10	.....
Injured while fitting and assembling, n. e. s	63	12	1	11	19	3
Hand caught on nail, wire, sharp projection, etc	95	27	.....	33	3	.....
Hand cut on glass	16	2	.....	11	.....	.....
Injured by stepping on nail, sliver, etc	70	20	.....	8	1	3
Inhalation of poisonous gases	12	.....	.....	.....	.....	.....
All other causes	100	10	.....	16	16	22
Total	545	115	1	156	72	30
GRAND TOTAL	4,966	821	331	605	840	187

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and Quarries April 1-June 30, 1907—(Concluded).

DISABLEMENT.				Serious injuries, probably permanent.	PERMANENT DISABLEMENT.							Deaths.
					LOSS OF ONE OR BOTH—							
Fractures.	Plural injuries.	Other.	Total.		Limbs.	Hands or feet.	Fingers.	Eyes.	Internally.	All others	Total.	
2	21	.....	55	2	.....	.....	.....	.....	4	2	6	1
7	10	5	56	1	.....	.....	.....	.....	1	2	3	1
2	15	2	42	2	.....	.....	.....	.....	.....	1	1	.....
1	4	1	19	.....	.....	.....	.....	.....	.....	.....	.....	1
1	5	.....	9	.....	.....	.....	1	.....	.....	2	3	3
2	9	.....	21	.....	.....	.....	.....	.....	.....	.....	.....	1
2	1	1	20	1	.....	.....	.....	.....	.....	1	1	.....
2	3	1	22	1	.....	.....	.....	.....	.....	1	1	.....
7	15	12	84	5	.....	.....	1	1	2	2	6	.....
26	83	22	328	12	.....	.....	2	1	7	11	21	7
2	5	.....	23	2	.....	.....	.....	.....	.....	.....	.....	.....
3	9	2	46	5	.....	1	.....	.....	.....	.....	1	2
13	19	6	217	14	1	1	4	.....	1	2	9	3
3	2	4	64	5	.....	.....	.....	.....	.....	1	1	1
2	.....	1	19	1	.....	.....	1	.....	.....	.....	1	.....
3	2	3	56	7	.....	.....	3	.....	2	3	8	.....
1	.....	3	42	4	.....	.....	4	.....	1	2	7	2
3	7	1	44	3	.....	.....	3	.....	1	3	7	.....
12	11	5	132	14	.....	.....	11	.....	1	2	14	.....
1	1	.....	25	3	.....	.....	3	.....	1	.....	4	1
6	1	6	55	4	.....	.....	1	.....	1	2	4	.....
6	6	7	126	2	.....	.....	8	.....	1	3	12	2
1	4	1	42	4	.....	.....	2	.....	.....	.....	2	1
56	67	39	891	68	1	2	40	.....	9	18	70	12
.....	3	52	79	26	.....	.....	.....	10	.....	3	13	.....
2	1	8	56	2	.....	.....	.....	.....	.....	.....	.....	1
2	4	60	135	28	.....	.....	.....	10	.....	3	13	1
13	15	5	102	9	.....	.....	1	.....	.....	5	6	2
1	1	9	138	4	.....	.....	2	1	.....	1	4	.....
1	3	2	35	2	.....	.....	2	.....	2	2	6	.....
2	1	6	55	5	.....	.....	3	.....	.....	.....	3	.....
.....	4	20	87	8	.....	.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	13	1	.....	.....	1	.....	.....	1	2	.....
.....	.....	34	66	4	.....	.....	.....	.....	.....	.....	.....	.....
.....	2	8	10	.....	.....	.....	.....	.....	.....	.....	.....	2
2	10	14	90	8	.....	.....	1	.....	.....	1	2	.....
6	21	93	494	32	.....	.....	9	1	2	5	17	2
156	401	333	3,674	509	16	23	487	20	36	115	697	86

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TABLE VI.—STATISTICS OF BUILDING OPERATIONS IN THE PRINCIPAL CITIES.

Buildings Authorized in New York City in April, May and June, 1906 and 1907.

BOROUGH.	NUMBER OF BUILDINGS.		ESTIMATED COST OF PROJECTED BUILDINGS.		NUMBER OF BUILDINGS			
					COMMENCED.		COMPLETED.	
	1906.	1907.	1906.	1907.	1906.	1907.	1906.	1907.
NEW BUILDINGS:								
Bronx	687	672	$9,036,610	$6,996,150	597	630	530	440
Brooklyn	2,546	3,214	19,076,689	25,765,735	2,208	2,869	1,573	1,390
Manhattan	596	390	39,047,430	31,745,750	506	282	477	368
Queens	1,200	1,365	4,694,907	5,791,418	140	879	257	706
Richmond	254	260	1,018,860	992,282	71	231	124	171
Total	5,283	5,901	$72,874,496	$71,291,335	3,522	4,891	2,961	3,075
ALTERATIONS:								
Bronx	226	190	$361,985	$239,435	204	176	194	143
Brooklyn	1,241	1,503	1,403,639	2,204,542	1,059	2,013	505	2,100
Manhattan	1,286	1,336	5,844,495	5,078,793	976	1,067	692	615
Queens	431	400	324,428	394,698	232	420	247	301
Richmond	180	202	131,300	177,380	128	196	171	194
Total	3,364	3,631	$8,065,847	$8,094,848	2,599	3,872	1,809	3,353
TOTAL OF NEW BUILDINGS AND ALTERATIONS:								
Bronx	913	862	$9,398,595	$7,235,585	801	806	724	583
Brooklyn	3,787	4,717	20,480,328	27,970,277	3,267	4,882	2,078	3,490
Manhattan	1,882	1,726	44,891,925	36,824,543	1,482	1,349	1,169	983
Queens	1,631	1,765	5,019,335	6,186,116	372	1,299	504	1,007
Richmond	434	462	1,150,160	1,169,662	199	427	295	365
Total	8,647	9,532	$80,940,343	$79,386,183	6,121	8,763	4,770	6,428

Number and Estimated Cost of New and Remodeled Tenement Houses Included in the Foregoing Table.

BOROUGH.	NUMBER OF BUILDINGS.		ESTIMATED COST.	
	1906.	1907.	1906.	1907.
NEW TENEMENTS:				
Bronx	164	179	$5,506,900	$3,690,500
Brooklyn	809	1,039	9,784,000	10,995,000
Manhattan	397	178	23,535,400	12,543,500
Queens	202	175	1,196,800	1,523,200
Richmond	.....	1	.....	3,500
Total	1,572	1,572	$40,023,100	$28,755,700
REMODELED TENEMENTS:				
Bronx	35	24	$47,575	$20,175
Brooklyn	120	195	103,925	144,963
Manhattan	748	735	1,690,480	1,537,800
Queens	19	32	2,750	14,741
Richmond	.....	2	.....	3,100
Total	922	988	$1,844,730	$1,720,779
TOTAL OF NEW AND REMODELED TENEMENTS:				
Bronx	199	203	$5,554,475	$3,710,675
Brooklyn	929	1,234	9,887,925	11,139,963
Manhattan	1,145	913	25,225,880	14,081,300
Queens	221	207	1,199,550	1,537,941
Richmond	.....	3	.....	6,600
Total	2,494	2,560	$41,867,830	$30,476,479

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TABLE VII.—STATISTICS OF BUILDING OPERATIONS IN BUFFALO, ROCHESTER, SYRACUSE AND TROY.

CITY AND PERIOD.	NEW BUILDINGS.		ADDITIONS AND REPAIRS.		ALL BUILDINGS.	
BUFFALO.	No.	Cost.	No.	Cost.	No.	Cost.
April	199	$899,365	152	$187,335	351	*$1,086,700
May	210	531,405	157	210,595	367	742,000
June	196	568,915	120	107,085	316	676,000
April-June, 1907	605	$1,999,685	429	$505,015	1,034	$2,504,700
1906	639	$3,507,630	354	$234,880	993	$3,742,510
1905	647	2,003,987	409	366,250	1,056	2,370,237
1904	566	1,695,360	337	281,845	903	1,977,020
1903	406	2,443,250	229	210,786	635	2,654,036
1902	275	834,712	265	256,204	540	1,090,916
1901	206	396,888	118	109,096	324	505,984
1900	151	502,672	181	142,036	332	644,708
ROCHESTER.						
April	201	$608,120	61	$177,925	262	$786,045
May	150	586,665	44	37,140	194	623,805
June	136	593,050	44	54,130	180	647,180
April-June, 1907	487	$1,787,835	149	$269,195	636	$2,057,030
1906	468	$1,609,184	150	$315,026	618	$1,924,210
1905	428	1,689,257	140	156,868	568	1,846,125
1904	286	1,808,204	77	79,630	363	1,887,834
1903	192	464,222	71	46,204	263	510,426
1902	182	790,940	109	148,563	291	939,503
1901	131	387,373	96	116,536	227	503,909
1900	148	581,010	92	72,285	240	653,295
SYRACUSE.						
April	85	$460,010	113	$206,623	198	‡$666,633
May	66	307,620	79	53,235	145	§360,855
June	67	221,900	71	82,805	138	304,705
April-June, 1907	218	$989,530	263	$342,663	481	$1,332,193
1906	170	$973,920	175	$107,390	345	$1,081,310
1905	148	549,425	172	119,838	320	669,263
1904	116	577,383	166	112,138	282	689,521
1903	95	578,470	125	99,840	220	678,310
1902	78	222,180	128	74,970	206	297,150
1901	103	422,708	186	110,376	289	533,084
1900	90	263,799	212	102,755	302	366,554
TROY.						
April-June, 1907	37	$243,400	80	$62,905	117	$306,305
1906	22	177,950	118	23,000	140	200,950

*Includes grain elevator costing $125,000, and a malthouse costing $120,000.
‡Includes a fire-proof high school building to cost $200,000 and a brewery to cost $100,000
§Includes brick car shops costing $100,000.

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TABLE VIII.—NUMBER AND PERCENTAGE OF UNEMPLOYED MEMBERS

INDUSTRIES OR GROUPS OF TRADES.	Unions.	MEMBERS REPORTING.					
		Jan.	Feb.	Mar.	Apr.	May.	June.
1. Building, Stone Working, Etc	53	29,105	28,869	28,991	29,942	30,003	30,234
Stone working	2	683	682	688	682	697	713
Building and paving trades	*46	25,935	25,731	25,846	26,795	26,851	27,096
Building and street labor	5	2,487	2,456	2,457	2,465	2,455	2,425
2. Transportation	37	17,563	17,406	17,480	17,455	17,851	18,252
Railways	25	6,135	6,037	5,992	6,095	6,133	6,234
Navigation	2	4,350	4,350	4,350	4,350	4,400	4,375
Teaming and cab driving	5	3,858	3,741	3,757	3,740	3,741	3,748
Freight handling	4	1,295	1,313	1,346	1,345	1,377	1,395
Telegraphs	1	1,925	1,965	2,035	1,925	2,200	2,500
3. Clothing and Textiles	17	7,434	7,487	7,579	7,905	7,968	7,998
Garments	10	4,699	4,630	4,620	4,871	4,921	4,938
Hats, caps and furs	3	920	923	934	920	933	946
Boots, shoes and gloves	2	1,450	1,550	1,700	1,750	1,750	1,750
Textiles	2	365	384	325	364	364	364
4. Metals, Machinery and Shipbuilding	26	9,397	9,354	9,458	9,512	9,509	9,884
Iron and steel	22	8,171	8,108	8,174	8,232	8,227	8,639
Metals other than iron and steel	3	596	596	630	630	630	628
Shipbuilding	1	630	650	654	650	652	617
5. Printing, Binding, Etc	2	6,848	6,863	6,854	6,893	6,915	6,912
6. Wood Working and Furniture	10	3,361	3,366	3,408	3,374	3,413	3,440
7. Food and Liquors	12	4,124	4,195	4,195	4,194	4,213	4,222
Food products	†7	1,618	1,693	1,681	1,606	1,617	1,619
Beverages	5	2,506	2,502	2,514	2,588	2,596	2,603
8. Theaters and Music	3	1,464	1,469	1,475	1,478	1,474	1,355
9 Tobacco	6	3,371	3,376	3,292	3,349	3,344	3,342
10. Restaurants and Retail Trade	8	2,735	2,732	2,693	2,582	2,578	2,586
Hotels and restaurants	6	2,551	2,548	2,509	2,395	2,394	2,400
Retail trade	2	184	184	184	187	184	186
11 Public Employment	2	2,234	2,245	2,257	2,254	2,263	2,272
12 Stationary Firemen	5	2,849	3,046	3,091	3,099	2,906	2,949
13. Miscellaneous	10	2,386	2,389	2,469	2,365	2,318	2,394
Paper and paper goods	3	604	607	601	604	603	603
Barbering	3	767	771	770	771	780	787
Leather and leather goods	1	169	168	167	173	175	173
Glass and glassware	2	551	545	547	550	552	555
Other trades	1	295	298	384	267	208	276
Total	191	92,871	92,797	93,242	94,402	94,755	95,840

*47 in April, May and June. †6 in April, May and June.

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OF RESPRESENTATIVE TRADE UNIONS, JANUARY-JUNE, 1907.

NUMBER IDLE.						PERCENTAGE IDLE.					
Jan.	Feb.	Mar.	April	May.	June.	Jan.	Feb.	Mar.	April.	May.	June.
11,762	10,427	9,430	5,298	4,470	3,230	40.4	36.1	32.5	17.7	14.9	10.7
412	246	140	133	39	29	60.3	36.1	20.3	19.5	5.6	4.1
9,950	9,049	8,080	4,685	4,023	3,000	38.4	35.2	31.3	17.5	15.0	11.1
1,400	1,132	1,210	480	408	201	56.3	46.1	49.2	19.5	16.6	8.3
4,955	4,608	4,427	887	1,642	1,147	28.2	26.5	25.3	5.1	9.2	6.3
242	235	180	215	172	155	3.9	3.9	3.0	3.5	2.8	2.5
4,250	3,900	3,362	300	250	200	97.7	89.7	77.3	6.9	5.7	4.6
303	262	575	277	278	452	7.9	7.0	15.3	7.4	7.4	12.1
160	211	310	95	927	330	12.4	16.1	23.0	7.1	67.3	23.7
.....	.....	.....	.....	15	10	0.0	0.0	0.0	0.0	0.7	0.4
404	692	495	650	857	654	5.4	9.2	6.5	8.2	10.8	8.2
331	540	405	520	724	601	7.0	11.7	8.8	10.7	14.7	12.2
69	99	90	86	73	49	7.5	10.7	9.6	9.3	7.8	5.2
3	48	.....	40	60	.....	0.2	3.1	0.0	2.3	3.4	0.0
1	5	.....	4	.....	4	0.3	1.3	0.0	1.1	0.0	1.1
515	524	353	430	466	439	5.5	5.6	3.7	4.5	4.9	4.4
344	433	278	380	414	410	4.2	5.3	3.4	4.6	5.0	4.7
41	41	.....	.....	20	12	6.9	6.9	0.0	0.0	3.2	1.9
130	50	75	50	32	17	20.6	7.7	11.5	7.7	4.9	2.8
880	876	878	795	804	796	12.9	12.8	13.1	11.5	11.6	11.5
661	519	571	620	691	586	19.7	15.4	16.8	18.4	20.2	17.0
337	365	311	216	228	238	8.2	8.7	7.4	5.2	5.4	5.6
259	291	230	162	184	170	16.0	17.2	13.7	10.1	11.4	10.5
78	74	81	54	44	68	3.1	3.0	3.2	2.1	1.7	2.6
44	44	105	160	166	207	3.0	3.0	7.1	10.8	11.3	15.3
182	191	143	164	358	285	5.4	5.7	4.3	4.9	10.7	8.5
89	183	136	178	145	91	3.3	6.7	5.1	6.9	5.6	3.5
87	181	134	176	144	90	3.4	7.1	5.3	7.3	6.0	3.8
2	2	2	2	1	1	1.1	1.1	1.1	1.1	0.5	0.5
55	48	38	31	39	17	2.5	2.1	1.7	1.4	1.7	0.7
38	54	47	80	28	37	1.3	1.8	1.5	2.6	1.0	1.3
85	122	64	54	61	82	3.6	5.1	2.6	2.3	2.6	3.4
.....	18	5	1	3	.....	0.0	3.0	0.8	0.2	0.5	0.0
29	28	10	12	18	14	3.8	3.6	1.3	1.6	2.3	1.8
19	8	8	8	10	8	11.2	4.8	4.8	4.6	5.7	4.6
25	44	27	25	25	45	4.5	8.1	4.9	4.5	4.5	8.1
12	24	14	8	5	15	4.1	8.1	3.6	3.0	2.4	5.4
20,007	18,653	17,018	9,563	9,955	7,809	21.5	20.1	18.3	10.1	10.5	8.1

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TABLE IX.—CAUSE OF IDLENESS AMONG

INDUSTRIES OR GROUPS OF TRADES.	LABOR DISPUTES.					
	Jan.	Feb.	Mar.	April.	May.	June.
1. Building, Stone Working, Etc	249	410	950	71	52	.....
Stone working	.....	.....	.....	.....	.....	.....
Building and paving trades	239	410	950	71	52	.....
Building and street labor	10	.....	.....	.....	.....	.....
2. Transportation	.....	.....	.....	.....	942	310
Railways	.....	.....	.....	.....	.....	.....
Navigation	.....	.....	.....	.....	.....	.....
Teaming and cab driving	.....	.....	.....	.....	.....	.....
Freight handling	.....	.....	.....	.....	927	300
Telegraphs	.....	.....	.....	.....	15	10
3. Clothing and Textiles	.....	50	.....	.....	.....	.....
Garments	.....	50	.....	.....	.....	.....
Hats, caps and furs	.....	.....	.....	.....	.....	.....
Boots, shoes and gloves	.....	.....	.....	.....	.....	.....
Textiles	.....	.....	.....	.....	.....	.....
4. Metals, Machinery and Shipbuilding	4	.....	9	15	7	40
Iron and steel	4	.....	9	15	7	40
Metals other than iron and steel	.....	.....	.....	.....	.....	.....
Shipbuilding	.....	.....	.....	.....	.....	.....
5. Printing, Binding, Etc	315	302	300	269	255	248
6. Wood Working and Furniture	87	127	.....	.....	.....	.....
7. Food and Liquors	.....	.....	.....	.....	.....	.....
Food products	.....	.....	.....	.....	.....	.....
Beverages	.....	.....	.....	.....	.....	.....
8. Theaters and Music	.....	.....	.....	.....	.....	.....
9. Tobacco	.....	.....	.....	2	182	100
10. Restaurants and Retail Trade	.....	.....	.....	.....	.....	.....
Hotels and restaurants	.....	.....	.....	.....	.....	.....
Retail trade	.....	.....	.....	.....	.....	.....
11. Public Employment	.....	.....	.....	.....	.....	.....
12. Stationary Engine Men	.....	.....	.....	.....	.....	.....
13. Miscellaneous	.....	.....	6	4	4	.....
Paper and paper goods	.....	.....	.....	.....	.....	.....
Barbering	.....	.....	.....	.....	.....	.....
Leather and leather goods	.....	.....	.....	.....	.....	.....
Glass and glassware	.....	.....	6	4	4	.....
Other trades	.....	.....	.....	.....	.....	.....
Total	655	889	1,265	361	1,442	698

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MEMBERS OF REPRESENTATIVE TRADE UNIONS.

DISABILITY.						ALL OTHER REASONS.					
Jan.	Feb.	Mar.	April.	May.	June.	Jan.	Feb.	Mar.	April.	May.	June.
404	480	338	284	309	290	11,109	9,537	8,142	4,943	4,109	2,940
1	.....	.....	12	2	9	411	246	140	121	37	20
402	479	337	271	306	280	9,309	8,160	6,793	4,343	3,665	2,720
1	1	1	1	1	1	1,389	1,131	1,209	479	407	200
297	253	237	189	192	189	4,658	4,355	4,190	698	508	648
218	180	157	127	124	129	24	55	23	88	48	26
12	.....	.....	10	15	8	4,238	3,900	3,362	290	235	192
52	56	60	52	53	52	251	206	515	225	225	400
15	17	20	.....	.....	.....	145	194	290	95	.....	30
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
110	88	50	60	28	59	294	554	445	590	829	595
82	45	25	29	5	21	249	445	380	491	719	580
24	30	25	27	23	34	45	69	65	59	50	15
3	8	.....	.....	.....	.....	.....	40	.....	40	60	.....
1	5	.....	4	.....	4	.....	.....	.....	.....	.....	.....
135	156	126	161	171	149	376	368	218	254	288	250
105	131	101	136	139	132	235	302	168	229	268	238
.....	.....	.....	.....	.....	.....	41	41	.....	.....	20	12
30	25	25	25	32	17	100	25	50	25	.....	.....
343	334	337	267	270	274	222	240	261	259	279	274
128	27	18	21	25	40	446	365	553	599	666	546
28	35	39	34	19	54	309	330	272	182	209	184
.....	9	6	12	10	10	259	282	224	150	174	160
28	26	33	22	9	44	50	48	48	32	35	24
14	14	14	13	18	13	30	30	91	147	148	194
103	93	84	90	100	74	79	98	59	72	76	111
25	27	6	15	12	19	64	156	130	163	133	72
23	25	4	13	11	18	64	156	130	163	133	72
2	2	2	2	1	1	.....	.....	.....	.....	.....	.....
55	48	38	31	39	17	.....	.....	.....	.....	.....	.....
3	3	3	16	6	3	35	51	44	64	22	34
21	34	25	14	12	20	64	88	33	36	45	62
.....	.....	5	1	3	.....	.....	18	.....	.....	.....	.....
6	7	3	4	4	4	23	21	7	8	14	10
3	3	2	1	1	1	16	5	6	7	9	7
.....	.....	1	.....	.....	.....	25	44	20	21	21	45
12	24	14	8	4	15	.....	.....	.....	.....	1	.....
1,666	1,592	1,315	1,195	1,201	1,201	17,686	16,172	14,438	8,007	7,312	5,910

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TABLE X.—IDLENESS IN NEW YORK CITY AT THE END OF JUNE.

INDUSTRIES OR GROUPS OF TRADES.	Unions.	Members.	Number idle.	Per cent. idle.	Idle on Account of—		
					Labor disputes.	Disability.	Other reasons.
1. Building, Stone Working, Etc.	30	23,159	2,945	12.7	.....	199	2,746
Stone working	1	540	24	4.4	.....	6	18
Building and paving trades	26	20,289	2,721	13.4	.....	193	2,528
Building and street labor	3	2,330	200	8.6	.....	.....	200
2. Transportation	8	7,410	694	9.4	310	54	330
Railways	2	632	4	0.6	.....	4	.....
Teaming and cab driving	3	3,408	350	10.3	.....	50	300
Freight handling	2	870	330	37.9	300	.....	30
Telegraphs	1	2,500	10	0.4	10	.....	.....
3. Clothing and Textiles	9	5,319	610	11.5	.....	45	565
Garments	6	3,995	565	14.1	.....	15	550
Hats, caps and furs	2	774	45	5.8	.....	30	15
Boots, shoes and gloves	1	550	.....	0.0	.....	.....	.....
4. Metals, Machinery and Shipbuilding	14	6,327	194	3.1	9	51	134
Iron and steel	10	5,082	165	3.2	9	34	122
Metals other than iron and steel	3	628	12	1.9	.....	.....	12
Shipbuilding	1	617	17	2.8	.....	17	.....
5. Printing, Binding, Etc.	1	6,772	792	11.7	248	272	272
6. Wood Working and Furniture	7	3,141	563	17.9	.....	37	526
7. Food and Liquors	7	3,375	209	6.2	.....	45	164
Food products	5	1,415	154	10.9	.....	10	144
Beverages	2	1,960	55	2.8	.....	35	20
8. Theaters and Music	1	846	106	12.5	.....	.....	106
9. Tobacco	2	1,850	156	8.4	.....	45	111
10. Restaurants and Retail Trade	4	1,735	54	3.1	.....	14	40
Hotels and restaurants	3	1,605	54	3.4	.....	14	40
Retail trade	1	130	.....	0.0	.....	.....	.....
11. Public Employment	1	1,995	15	0.8	.....	15	.....
12. Stationary Engine Men	2	1,460	30	2.1	.....	3	27
13. Miscellaneous	3	728	53	7.3	.....	1	52
Leather and leather goods	1	173	8	4.6	.....	1	7
Glass and glassware	2	555	45	8.1	.....	.....	45
Total	89	64,117	6,421	10.0	567	781	5,073

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PUBLICATIONS

OF THE

New York State Department of Labor

The current report will be forwarded, on application, to any citizen of New York. Previous reports are free, but payment of carriage devolves upon applicants. Of the 1906 Report only Part I, Sixth Report of the Commissioner of Labor (transmitted to the Legislature Jan. 2, 1907) is ready for distribution.

FIFTH ANNUAL REPORT, 1905

Part I. Fifth Annual Report of the Commissioner of Labor (216 pages, paper covers. Contains, in appendices, preliminary reports of the Bureau of Factory Inspection, Bureau of Mediation and Arbitration, Free Employment Bureau, opinions by the Attorney-General, index of bills and statutes relating to labor acted upon by the Legislature of 1905, and a compilation of all the labor laws in force in 1905).

Part II. Twentieth Annual Report on Factory Inspection (301 pages, paper).

Part III. Nineteenth Annual Report of the Board of Mediation and Arbitration (423 pages, paper covers).

Part IV. Twenty-third Annual Report of the Bureau of Labor Statistics (1,000 pages, cloth bound).

Chap. I. Regulation of Labor Conditions on Public Work (122 pp.).
Chap. II. Economic Condition of Labor in 1905 (48 pages).
Chap. III. Trade Unions in 1905 (20 pages).
Appendix — Statistical Tables (810 pages).

Parts I–III may also be had in a single cloth-bound volume.

PREVIOUS ANNUAL REPORTS

1901.— FIRST ANNUAL REPORT. (3 vols., 1,819 pages.)
Vol. I. General Report and Report on Factory Inspection. (615 pages.)
Vol. II. Nineteenth Report of the Bureau of Labor Statistics. (780 pp.)
Vol. III. Fifteenth Annual Report on Mediation and Arbitration. (424 pp.)

1902.— SECOND ANNUAL REPORT. (3 vols., 2,740 pages.)
Vol. I. Report of the Commissioner of Labor. (50 pages.)
Report of the Free Employment Bureau. (16 pages.)
Report of the Bureau of Factory Inspection. (602 pages.)
Report of the Bureau of Mediation and Arbitration. (219 pp.)
Vol. II. The Growth of Industry in New York. (678 pages).
Vol. III. Report of the Bureau of Labor Statistics. (1,172 pages.)

1903.— THIRD ANNUAL REPORT. (3 vols., 2,958 pages.)
Vol. I. General Report. (329 pages, including Special Report on Employers' Welfare Institutions.) *Also separately bound in paper.*
Seventeenth Report on Mediation and Arbitration. (363 pages.)
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Vol. III. Eighteenth Annual Report on Factory Inspection. (1,141 pages.)

1904.— FOURTH ANNUAL REPORT. (2 vols., 1,710 pages).
Vol. I. Report of the Commissioner of Labor, etc. (287 pages.)
Report of the Bureau of Mediation and Arbitration. (205 pages.)
Report of the Bureau of Factory Inspection. (295 pages.)
Vol. II. Twenty-second Annual Report of the Bureau of Labor Statistics (923 pages, cloth bound).
Chap. I. Trade unions in 1904 (pp. ix–xxx).
Chap. II. The state of employment (pp. xxxi–xlii).
Chap. III. Wages and earnings (xliii–lvi).
Chap. IV. Changes in the hours of labor (lvii–lix).
Appendix — Statistical tables (pp. 1–864).

The three parts of Vol. I may also be had separately bound in paper.

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PUBLICATIONS OF THE DEPARTMENT OF LABOR—Continued

QUARTERLY BULLETINS

[Index and title-page for each volume sent on application; also editorial summaries of some of the BULLETINS out of print.]

1899.	Vol.	I. Nos. 1–3.	(242 pages.)	Nos. 1 and 3 are *out of print.*
1900.	"	II. Nos. 4–7.	(356 pages.)	Nos. 4 and 7 are *out of print.*
1901.	"	III. Nos. 8–11.	(346 pages.)	Nos. 8, 9 and 10 are *out of print.*
1902.	"	IV. Nos. 12–15.	(364 pages.)	
1903.	"	V. Nos. 16–19.	(480 pages.)	No. 17 is *out of print.*
1904.	"	VI. Nos. 20–23.	(449 pages.)	
1905.	"	VII. Nos. 24–27.	(480 pages.)	
1906.	"	VIII. Nos. 28–31.	(556 pages.)	
1907.	"	IX. Nos. 32–		

MISCELLANEOUS

MONOGRAPHS ON SOCIAL ECONOMICS

Prepared for the Louisiana Purchase Exposition, St. Louis, 1904.

I. Typical Employers' Welfare Institutions. By G. A. Stevens and L. W. Hatch. (30 pages. 4 illustrations.)

II. Labor Legislation in New York. By A. F. Weber. (30 pages.)

III. The Work of the Department of Labor. By A. F. Weber and L. W. Hatch. (42 pages, with tables and charts.)

IV. The Growth of Industry in New York. By A. F. Weber. (60 pages and charts.)

In addition to its own publications, the Department can supply reports of certain official and semi-official bodies, including the three Departmental Bureaus which formerly existed as separate branches of the State administration. Such reports, so far as they are not exhausted, are listed below.

Proceedings of the annual conventions of the Association of Officials of Bureaus of Labor Statistics of America: Fourteenth (1898), Nineteenth (1903), Twentieth (1904), Twenty-first (1905), and Twenty-second (1906).

Proceedings of the annual conventions of the International Association of Factory Inspectors of America: Second (1888), Seventh (1893), and Fourteenth (1900) to Twentieth (1906).

STATE FACTORY INSPECTOR

Of the fifteen annual reports made by the Factory Inspector (1886–1900), three can be furnished: First (1886), Seventh (1892) and Thirteenth (1898).

BOARD OF MEDIATION AND ARBITRATION

Of fourteen annual reports (1887–1900), only that for 1900 can now be supplied.

BUREAU OF LABOR STATISTICS

Of the eighteen annual reports made from 1883 to 1900, the following are still available:

1890.—EIGHTH ANNUAL REPORT. (2 vols., 1,187 pages.)

1891.—NINTH ANNUAL REPORT. (2 vols., 1,190 pages.)

1892.—TENTH ANNUAL REPORT. (2 vols., 1,087 pages.)

1895.—THIRTEENTH ANNUAL REPORT. (2 vols., 1,256 pages.)

1900.—EIGHTEENTH ANNUAL REPORT. (xiv, 1,072 pages.)

ALBANY
J. B. LYON COMPANY, STATE PRINTERS
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No. 35 December, 1907

STATE OF NEW YORK

DEPARTMENT OF LABOR

BULLETIN

Issued Under the Direction of
JOHN WILLIAMS, Commissioner of Labor

EDITOR:
LEONARD W. HATCH, Chief Statistician

ASSOCIATE EDITORS:
GEORGE A. STEVENS JOSEPH H. MIDDLETON

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New York Labor Bulletin.

Published Quarterly by the State Department of Labor.

Vol. IX, No. 4. ALBANY, December, 1907 Whole No. 35

EDITORIAL SUMMARY.

The State of Employment.

Returns of idleness received from 92 representative labor organizations in New York City show that at the end of December, out of 66,120 members, 22,627 or 34.2 per cent were idle as compared with percentages of idleness on the same day for the same set of unions of 12.8 in 1906, 6.7 in 1905 and 17.8 in 1904. Comparison with 1906 as to causes of idleness shows that this great increase of idleness at the close of 1907 was due entirely to slack trade there having been no increase in the number idle on account of labor disputes, disability, etc. Over 90 per cent of those idle on December 31st last reported lack of work as the cause. Obviously the dominant influence in the returns is the business depression which followed the financial panic of October, and nearly all industries represented in the ranks of organized labor were affected. But returns from all labor organizations in New York State for the third quarter of 1907, combined with returns of building operations from city authorities, reveal the fact that in the building trades of New York City, in which are about one-third of the organized workers of the metropolis, there was a marked depression prior to October, evident in fact throughout July, August and September. Chiefly as a result of this decline in metropolitan building operations the percentage of all organized wage earners in the state, over 400,000 in number, who were idle throughout the third quarter in 1907, somewhat exceeded that of any year since 1901, except 1903 when a general strike brought building operations in the metropolis almost to a standstill. Outside of New York City building operations in the third quarter of 1907 continued actively. Among other industries there were notable increases in idleness at the end of September in the metal and machinery trades due

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chiefly to lack of work, in the transportation trades due partly to lessened employment and partly to the general strike of telegraphers, and in the clothing trades mostly traceable to a large strike of tailors in New York City. These increases supplemented the more important adverse situation in the metropolitan building trades so that there was a higher percentage of idleness among organized wage workers in New York State at the end of September (10.7) than has been shown in any other year since 1900, the percentage in 1906 having been but 5.7, and in 1905, only 4.9.

* * *

Wages in 1907.

The reports of earnings of organized workingmen in the third quarter of 1907 indicate that very generally the high level of wages attained in 1906 was fully maintained or even slightly raised in 1907. Earnings were reported for 378,000 men. Out of thirteen industries or groups of trades represented, all but four show some increase in average daily earnings in the third quarter of 1907 as compared with 1906. To mention only the most important industries, there were increases of 8 cents per day in the printing trades, 3 cents in clothing and textiles and 2 cents each in transportation and the metal trades. In the building industry, however, which is by far the most important among the organized trades, the average daily wage did not advance. It was fairly maintained, however, the decrease shown amounting to but a fraction of a cent. The returns further indicate that for those who had work employment was quite as steady in a majority of the trades in 1907 as in 1906, the average number of days worked during the third quarter having increased in 1907 by from one-half to three and one-half days in eight of the thirteen groups of trades. The only decreases among the leading industries were a slight one of 0.3 in the average for transportation and an important one of 1.6 days in the building industry which reflects again the depression in that industry in New York City. Chiefly on account of this decrease in average time worked there was a decrease of

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$7 in the quarterly earnings for the building trades. But with wages generally maintained and employment about as steady in most cases all but three of the other industries show some increase in average quarterly earnings.

* * *

Trade Unions in 1907.

At the end of September there were 2,498 trade and labor unions in the state with a total membership of 437,092. This membership far surpasses all previous records and represents an increase over the total in March of more than 22,000 and over the number in September of the previous year of above 38,000. Of the gain since March three-quarters (16,700) was in New York City. Buffalo, Rochester, Syracuse and Albany gained each from 500 to 900 members. Of the thirteen organized industries or groups of trades all but three made gains in membership. The largest gain was one of 8,500 in the clothing trades, nearly all in New York City. Other large gains were 5,500 in the transport trades divided between the metropolis and the remainder of the state, 3,900 in the theatrical trades mostly confined to New York City, and 2,900 in the building trades in which there was a gain of 4,000 in the remainder of the state while in New York City there was a loss of 1,000. The only considerable decrease was one of 1,300 in the metals and machinery industry due to a slump of 2,500 in the electrical industry of Schenectady, with gains elsewhere, principally one of 1,000 in New York City.

* * *

Disputes and Conciliation.

The Bureau of Mediation and Arbitration recorded as many strikes and lockouts begun during July, August and September in 1907 as in 1906, but the number of those on strike or locked out in 1907 was 21,695 as compared with 13,795 in 1906 and still smaller numbers in 1905, 4 and 3. The total time lost on account of disputes in the third quarter was 415,000 days or 45,000 more than in the same

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quarter of 1906. From the point of view of the general public the most serious dispute of the quarter was that of the commercial telegraphers which involved 1,260 employees in this state, about 1,000 of whom were in New York City. The Bureau of Mediation and Arbitration intervened for purposes of conciliation in 23 disputes during the third quarter of 1907, all but one of these being strikes. In two cases the Bureau's representatives reported that settlements resulted immediately from their efforts. In a third case such efforts plainly contributed materially to a settlement while in the one case of intervention before strike no settlement of points at issue was secured but the threatened strike did not occur. In six cases intervention occurred in the first instance upon request which each time came from the workpeople.

* * *

Accidents.

During July, August and September, 1907, 5,264 accidents (persons injured) in factories, mines, quarries and tunnels were reported, as compared with 4,966 reported in April, May and June, or with 3,912 in the third quarter of 1906. Fatal accidents reported in the third quarter of 1907 numbered 97 against 86 in the second quarter, or 62 in the third quarter of 1906. These increases are due chiefly to increasing completeness of returns fostered by more strenuous efforts of the Department to secure full returns of all accidents to which end the law of 1906, making statements in accident reports inadmissible as evidence in suits for damages, has very materially aided by making employers more willing to report. A portion of the increases noted, most significantly that between the second and third quarters of 1907, was due to the inclusion for the first time of accidents in tunnel workings which the law of June 3, 1907, made it compulsory for employers to report. The peculiar justice of the general provisions of that law which provide regulations to safeguard tunnel workers similar to those long in existence for mines and quarries is brought out by the number of tunnel accidents, including at least four fatali-

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ties, reported within the first three months, coupled with the fact that the Court of Appeals has held (Citrone v. O'Rourke Engineering Co., 188 N. Y. 339, reported in Department BULLETIN for June, 1907, p. 188) that where, as in trench or tunnel work, the danger to workmen is due to the manner in which the work is prosecuted, and so subject to constant change as the work proceeds, the common-law rule making an employer liable for failure to provide a safe place to work for his employees does not apply, thus throwing the *onus* of the extra hazard of the occupation upon the workman alone.

* * *

Factory Inspection. During July, August and September of 1907, over 10,000 inspections of factories, shops, mines, etc., were made by the Bureau of Factory Inspection, including 9,528 regular, and 380 special, inspections. In addition nearly 10,000 investigations of complaints, compliances with orders, applications for license to manufacture in tenements were made, in addition to which over 1,200 observations of unlicensed tenement buildings were filed. Complaints investigated during the quarter numbered 236, as compared with 98 in the corresponding quarter of 1906, or 231 in the third quarter of 1905. More attention was given to compliances with orders in 1907 than in 1906, the number of establishments investigated as to such compliance during the third quarter being for the two years respectively, 8,425 and 6,744. Deputy inspectors reported 69 prosecutions instituted during the quarter and twice as much time devoted to such cases as in the same quarter of 1906. The power to stop work by affixing tags, placards or labels in order to secure compliance with the law as to cleanliness and sanitation was invoked 39 times in case of tenement work (as compared with 89 in 1906), 51 times in tenant factories and twice in bakeshops. During the quarter the licenses of three tenement buildings for manufacturing purposes in New York City were revoked for unlawful conditions. Tenement buildings to the number of 618

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(592 in New York City) were licensed during the quarter, bringing the total of such licensed buildings at the end of September up to 8,120 (7,628 in New York City). Returns of child labor certificates issued by boards of health in first and second class cities increased in the third quarter of 1907, as compared with 1906, in every one of the nine cities except one (Albany), the totals for the nine cities in the two years being respectively, 5,938 and 5,062.

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UNEMPLOYMENT IN NEW YORK CITY AT THE END OF DECEMBER.

The unavoidable delay in the publication of this issue of the BULLETIN makes it possible to publish here the result of a special tabulation of returns of idleness on December thirty-first from representative trade unions in New York City, and tabulation having been undertaken in advance of the usual routine with a view to meeting to some extent the numerous inquiries received by the Department as to the amount of unemployment since the financial panic of October. Similar returns for the remainder of the state, as well as for New York City, for the six months from June to December, 1907, will be published as usual in the March BULLETIN.

In Table X of the Appendix are summarized, by industries or groups of trades, the returns for December, 1907, and for December, 1906, the same unions with but two or three exceptions reporting in both years.

The 92 unions from which returns were received for December, 1907, made returns for a total of 66,120 members, of whom 22,267 or 34.2 per cent were reported as idle at the end of the month. These figures compare with those for previous years as follows:

AT END OF—	Unions.	Wage earners reporting.	Number idle.	Per cent idle.
January, 1904	....	68,808	15,953	23.2
December, 1904	86	66,185	11,770	17.8
December, 1905	89	62,940	4,226	6.7
December, 1906	90	62,213	7,938	12.8
December, 1907	92	66,120	22,627	34.2

Plainly, idleness in New York City at the close of the year 1907 far exceeded that in any other of the last five years. The natural inquiry at once is, how far this increase of idleness was due to the financial panic of October and the succeeding business depression? Light is thrown upon this point by the causes of idleness as reported in 1907 and 1906 as follows:

NUMBER IDLE ON ACCOUNT OF—	1907.	1906.	Percentage, 1907.
Lack of work	20,716	5,799	91.6
Strike or lockout	592	654	2.6
Sickness, accident old age	1,053	841	4 6
Other reasons	266	644	1.2
Total	22,627	7,938	100.0

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The comparison makes it evident at once that the increase of idleness at the end of 1907 was practically all due to lack of work and not to an exceptional number of labor disputes, increase of sickness or other causes. Over 90 per cent of those idle at the end of December were returned as unable to get work.

The following table indicates that the depression of business at the close of the year affected different industries in very unequal degrees.

	Members reporting.		Number idle.		Per cent idle.	
	1907.	1906.	1907.	1906.	1907.	1906.
1. Building, stone working, etc.	23,341	22,634	10,507	4,439	45.0	19.6
2. Transportation	5,924	6,571	1,620	612	27.3	9.3
3. Clothing	8,643	5,722	4,642	873	53.7	15.3
4. Metals, machinery, etc...	6,228	5,682	1,799	279	28.9	4.9
5. Printing, binding, etc. ...	6,950	6,728	776	906	11.2	13.5
6. Woodworking, etc.	2,913	2,943	853	399	29.3	13.6
7. Food and liquors	3,479	3,382	398	214	11.4	6.3
8. Theaters and music.....	925	845	0	0	0.0	0.0
9. Tobacco	1,793	1,924	1,487	51	82.9	2.7
10. Restaurants, retail trade.	1,756	1,776	325	61	18.5	3.4
11. Public employment	1,713	1,980	16	38	0.9	1.9
12. Stationary engine men...	1,779	1,331	68	29	3.8	2.2
13. Miscellaneous	676	695	136	37	20.1	5.3
Total.....	66,120	62,213	22,627	7,938	34.2	12.8

While the proportion of idleness varies widely, every industry shows an increase and, save for the theatrical trades and stationery engine men, a very heavy increase, except the printing trades and public employment. In the case of the printing trades, there was an altogether exceptional amount of idleness last year on account of the eight-hour strikes. Further it would appear that the idleness shown for the printing trades this year is too low rather than too high. All but 125 of the members reporting were in one leading union of compositors, which returned about 6 per cent of its members as idle for lack of work, but there seems to have been a much larger proportion of idleness in other trades of the group. Thus special reports secured from two unions not in the permanent list of selected unions making regular monthly reports to the Bureau show for a pressmens' union with nearly 1,500 members almost 14 per cent idle for lack of work in December, 1907, as compared with none in 1906, and for a lithographers' union with nearly 1,000 members, 30 per cent idle for slack trade in 1907 as compared with none in 1906. In the case of public employment similarly the degree of idleness is under-

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stated, a single large union of letter-carriers, with whom sickness is practically the sole cause of idleness, alone being represented in the regular reporting list while a special report from a union of 1,750 dock builders shows over 60 per cent idle for lack of work in 1907 as compared with 35 per cent in the preceding year. The percentage of idleness shown for the tobacco trades by two cigarmakers' unions (nearly all returned as due to lack of work) exceeds so astonishingly that for any other industry as to appear open to question. But a special report secured from a union of cigarette makers with 600 members would seem to confirm the above figures, the secretary stating that while last year all the members were idle for a week between Christmas and New Years on account of inventory, this year all the members were laid off the second week in December and only a few had started to work in the third week in January.

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WAGES AND EMPLOYMENT IN THIRD QUARTER, 1907.

Quarterly Earnings.

The semi-annual canvass of trade and labor organizations of the state as to wages and employment last September showed that the average earnings for July, August and September of 1907 of the 378,000 male union members who were reported at work were $226.42 (see Table I in Appendix). This is $1.06 more than the average reported for 349,000 members in the corresponding quarter of 1906. Further comparison of this year with last, as in Table 1 below, shows that there was an increase of average earnings in every one of the thirteen industries or groups of trades represented in the ranks of organized labor except four, these four exceptions being (1) building, stone working, etc.; (6) wood working and furniture; (12) stationary engine men, and (13) miscellaneous trades.

TABLE 1.— Average Quarterly Earnings of Organized Working Men, in July, August and September, 1900–1907 — By Industries.

Industry.	1900.	1901.	1902.	1903.	1904.	1905.	1906.	1907.
1. Building, stone working, etc.	$186	$215	$235	$211	$213	$246	$251	$244
2. Transportation	176	177	170	178	189	210	219	222
3. Clothing and textiles	119	135	147	147	131	155	158	169
4. Metals, machinery and shipbuilding	193	200	200	193	203	214	223	224
5. Printing, binding, etc.	225	227	217	220	222	226	227	241
6. Woodworking and furniture	180	187	180	185	172	197	209	201
7. Food and liquors	168	186	189	184	182	187	196	198
8. Theaters and music	320	337	344	304	291	300	294	464
9. Tobacco	133	138	146	145	136	145	149	158
10. Restaurants and retail trade.	144	160	153	155	168	180	181	191
11. Public employment	202	212	206	207	215	218	232	233
12. Stationary engine men	229	226	215	214	225	239	271	260
13. Miscellaneous	132	138	133	134	152	177	175	168
All industries	$182	$194	$197	$190	$196	$219	$225	$226

Among the nine groups of trades in which increases of average earnings appear it will be seen that the amount of the increase varies considerably. Thus, to note only the principal industries, in the transportation and metal industries the gains were $3 and $1 respectively, while in the clothing and printing trades the increases amounted to $11 and $14. But whatever the increases were, inasmuch as the figures for last year in every one of the nine industries constituted the record for any year since 1899, it will be seen that the average earnings in these nine industries (transportation, clothing, metals, printing, food

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and liquors, theaters and music, tobacco, restaurants and retail trade, and public employment) reached a new high record for the last eight years.

No industry shows an increase exceeding that of $14 in printing except theaters and music where there is an astonishing jump from $294 in 1906 to $464 for 1907. A little analysis reveals the fact that this increase for the group was caused by an increase in a single union of actors in New York City which reported a heavy advance in average weekly pay due to keen competition among theatrical managers, together with an addition of 1,500 new members, nearly all of whom were of the more highly paid classes, with weekly earnings reported as high as $250 in some cases.* The effect of the increase in this one union upon the average earnings of all unionists in the state is sufficient to turn what would otherwise be a decrease into an increase. Thus, had the membership and pay in this union remained the same in 1907 as in 1906 the average earnings of male unionists in the third quarter this year would have been $223.08 (instead of $226.42 as above), or $2.28 *less* than the average in 1906. In view of the fact that actors (certainly such as are as highly paid as those in the union above referred to) really belong to a *profession* rather than a *trade* it may fairly be said that the returns for the third quarter of 1907, as compared with 1906, show a slight decrease rather than an increase in the average earnings of the organized *wage* earners of the state taken as a whole.

In view of the fact, therefore, that except for the disturbing effect of an altogether non-typical "trade" the average earnings of the state's trade unionists declined while at the same time, as we have seen, in nine out of thirteen industries the average earnings actually did increase, it becomes important to notice the decreases in four industries which practically counterbalanced the combined increases of the others. When it is pointed out that 34 per cent of the male unionists in the state reporting employment are in the building trades, in which average quarterly earnings were $7 less this year, as compared with only 3 per cent

* In view of the effect on the average for all trades noted in the next sentence, this case serves as a striking illustration of the continual necessity of care in the interpretation of wage statistics where the composition of the reporting bodies is liable to change which, as repeatedly pointed out in these BULLETINS, is inevitably true for the membership of trade unions.

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in woodworking with a decrease of $8, 4 per cent in stationary engine tending with a decline of $11, and 3 per cent in the miscellaneous trades with a decrease of $7, it will be seen that the decline in the building trades is the controlling factor, and is altogether conspicuous among the year's changes.

RATE OF PAY AND AMOUNT OF EMPLOYMENT.

Two factors determine quarterly earnings, the rate of pay and amount of employment. The following Tables 2 and 3 afford an opportuniay for consideration of the trend in each of these two factors in the third quarter of 1907 as shown by average daily earnings and average days of employment of the trade unionists whose quarterly earnings have already been considered, while in Table 4 the changes in each factor in 1907 as compared with 1906 are revealed in comparison with the changes in quarterly earnings.

TABLE 2.—AVERAGE WAGES RECEIVED FOR A DAY'S WORK BY MALE MEMBERS OF LABOR ORGANIZATIONS IN THE THIRD QUARTER, 1903–7.

GROUPS OF TRADES.	1903.	1904.	1905.	1906.	1907.
1. Building, stone working, etc.	$3.29	$3.22	$3.46	$3.72	$3.71
2. Transportation	2.16	2.36	2.53	2.61	2.63
3. Clothing and textiles	2.51	2.54	2.41	2.52	2.55
4. Metals, machinery and shipbuilding	2.70	2.89	2.93	3.07	3.09
5. Printing, binding, etc.	3.15	3.24	3.22	3.30	3.38
6. Wood working and furniture	2.66	2.79	2.77	2.93	2.97
7. Food and liquors	2.35	2.54	2.55	2.62	2.60
8. Theaters and music	4.47	4.78	4.80	4.54	7.48
9. Tobacco	2.00	1.99	2.05	2.03	2.11
10. Restaurants and retail trade	1.99	2.15	2.24	2.31	2.37
11. Public employment	2.52	2.57	2.48	2.71	2 77
12. Stationary engine tending	2.68	2.85	2.89	3.24	3.06
13. Miscellaneous	1.93	2.06	2.38	2.46	2.31
All trades	$2.69	$2.80	$2.97	$3.12	$3.13

TABLE 3.— AVERAGE NUMBER OF DAYS EMPLOYED (MEN ONLY) IN THE THIRD QUARTER 1900–1907.

INDUSTRIES.	Number employed, 1907.	AVERAGE NUMBER OF DAYS WORKED. 1907.	1906.	1905.	1904.	1903.	190
1. Building, stone working, etc.	130,238	65.8	67.4	71.0	66.2	64.0	69
2. Transportation	65,413	84.5	84.0	83.0	80.0	82.2	75
3. Clothing and textiles	37,554	66.1	62.5	64.1	51.5	58.7	63
4. Metals, machinery, etc.	36,990	72.3	72.6	72.8	70.2	71.5	76
5. Printing, binding, etc.	23,320	71.3	68.9	70.2	68.5	69.8	70
6. Wood working and furniture.	10,402	67.7	71.2	71.3	61.5	69.4	67
7. Food and liquors	13,941	76.0	74.8	73.2	71.5	78.3	77
8. Theaters and music	6,856	62.1	64.7	62.5	60.9	68.0	67
9. Tobacco	9,023	75.0	73.5	70.7	68.6	72.7	74
10. Restaurants and retail trade.	8,035	80.6	78.2	80.2	78.3	78.1	77
11. Public employment	10,308	84.1	85.4	87.9	83.8	82.2	81
12. Stationary engine men	13,769	85.1	83.7	82.7	78.9	79.9	†
13. Miscellaneous	12,672	72.7	71.3	74.4	74.0	69.3	74
Total — Men	378,521	72.4	72.1	73.7	69.8	70.7	71
Total — Women	12,720	69.0	68.4	68.2	62.9	68.9	67

† Included in group IV.

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TABLE 4.—CHANGES IN QUARTERLY EARNINGS, DAILY EARNINGS AND AMOUNT OF EMPLOYMENT, THIRD QUARTER 1907, COMPARED WITH 1906.

	INCREASE OR DECREASE IN 1907			
	Quarterly earnings.	Average earnings per day.	Average days of employment.	Weight of group in total.*
1. Building, stone working, etc.....	$6.87—	$0.01—	1.6—	34
2. Transportation	3.23+	0.02+	0.5+	17
3. Clothing and textiles	11.00+	0.03+	3.6+	10
4. Metals, machinery, etc.	0.79+	0.02+	0.3—	10
5. Printing, binding, etc.....	13.79+	0.08+	2.4+	6
6. Wood working and furniture.....	8.52—	0.04+	3.5—	3
7. Food and liquors.....	1.94+	0.02—	1.2+	4
8. Theaters and music	170.39+	2.94+	2.6—	2
9. Tobacco	8.82+	0.08+	1.5+	2
10. Restaurants, retail trade	10.41+	0.06+	2.4+	2
11. Public employment	1.33+	0.06+	1.3—	3
12. Stationary engine men	11.11—	0.18—	1.4+	4
13. Miscellaneous	7.11—	0.15—	1.4+	3
Total	$1.06+	$0.01+	0.3+	100

The average daily earnings of those who worked was almost exactly the same (one cent higher) in 1907 as in 1906, and their average amount of employment was likewise nearly the same, though again with some increase (three-tenths of a day). As accounting for the slight increase in quarterly earnings the increase in employment would appear as more important than the change in daily pay. The altogether exceptional character of the increase in daily earnings in Group 8, theaters and music, has already been explained. Among the other industries the largest increases in average daily pay appear in the printing and tobacco trades (+8 cents in each) followed by the restaurant and retail trades and public employment (+6 cents in each). On the other hand, in respect of steadier employment for those at work, the clothing trades are foremost (increase of 3.6 in average days of employment) followed by the printing trades and restaurants and retail trade (+2.4 days.) It thus appears that both better pay and more work contributed to the increased earnings in the printing trades; that in the clothing trades on the other hand more work was the principal factor; that in restaurants and retail trade again both factors contributed to the increase; and so on for the other industries with lesser gains, or for those with decreases. Of the latter it is important to observe that Table 4 indicates that the decrease in average quarterly earnings in the building industry which is conspicuous by reason of the importance of that industry, was due primarily to a decrease in amount of employment, especially if it be noted that the exact decrease in average daily pay was only eight-tenths of a cent.

* Percentage in each group of total members reporting.

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IDLENESS.

Thus far consideration has been given to those organized workingmen who had some work. But there were 10,492 members of unions (10,331 men and 161 women) who had no work at all during the quarter. This is equal to 2.5 per cent of the members reporting as to employment, a percentage of idleness exceeding that for the corresponding quarter of any previous year since 1901 except 1903, as may be seen in the following

TABLE 5.—NUMBER AND PERCENTAGE OF MEMBERS OF LABOR UNIONS IDLE —

YEAR.	DURING THIRD QUARTER.		AT THE END OF SEPTEMBER.	
	Number.	Percentage.	Number.	Percentage.
1897	10,893	6.5	23,230	13.8
1898	9,734	5.7	22,485	13.1
1899	4,790	2.3	9,590	4.7
1900	12,926	5.4	31,460	13.3
1901	8,341	3.1	18,617	6.9
1902	6,291	1.9	18,381	5.7
1903	12,670	3.3	34,370	9.0
1904	9,175	2.4	37,380	9.7
1905	7,491	2.0	18,430	4.9
1906	7,354	1.9	21,596	5.7
1907	10,492	2.5	43,258	10.7

Table 5 also shows the proportion of members reported idle at the end of the quarter, revealing a higher percentage of idleness at the end of September than any previous year since 1898 excepting only 1900.

Examining as to the causes of this greatly increased idleness it is found by Table 6 below that "lack of work" or slack trade was the chief contributing cause, with a considerable, though far less important, increase over the last two years in idleness due to labor disputes (*cf.* quarterly report of strikes and lockouts in following pages).

TABLE 6.— CAUSES OF IDLENESS AT THE END OF SEPTEMBER, 1904–1907.

CAUSE.	NUMBER.				PERCENTAGE.			
	1904.	1905.	1906.	1907.	1904.	1905.	1906.	1907.
Lack of work	21,718	11,525	11,669	29,401	58.0	62.5	54.0	68.0
Lack of stock	952	655	753	1,752	2.5	3.6	3.5	4.0
Weather	968	739	666	569	2.6	4.0	3.1	1.3
Labor disputes	10,593	2,403	3,919	7,516	28.4	13.0	18.1	17.4
Disability	1,873	2,577	3,127	3,444	5.0	14.0	14.5	8.0
Other reasons	1,140	438	1,215	343	3.1	2.4	5.6	0.8
Reason not stated	136	93	247	233	0.4	0.5	1.2	0.5
Total	37,380	18,430	21,596	43,258	100.0	100.0	100.0	100.0

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In order to ascertain the location of the increased idleness among the different industries, it is necessary to examine Table 7 in connection with which Table 8 may also be considered with respect to idleness at the end of the quarter.

TABLE 7.— IDLENESS OF MEMBERS OF LABOR ORGANIZATIONS: BY INDUSTRIES.

GROUPS OF TRADES.	AT END OF SEPTEMBER.					DURING THIRD QUARTER.				
	Number.	Percentage.				Number.	Percentage.			
	1907.	1907.	1906.	1905.	1904.	1907.	1907.	1906.	1905.	1904.
1. Building, stone working, etc.	17,748	13.8	5.3	2.5	9.8	4,537	3.1	0.6	0.6	1.5
2. Transportation	4,670	6.6	3.0	3.2	9.2	1,048	1.5	1.2	1.4	2.0
3. Clothing and textiles	8,651	19.0	11.3	15.3	15.3	147	0.3	1.8	4.0	3.7
4. Metals, machinery, etc.	3,053	8.0	3.3	4.4	11.5	521	1.4	1.5	1.6	3.0
5. Printing, binding, etc.	2,125	8.1	12.6	6.7	7.5	1,216	4.7	6.9	3.7	3.3
6. Wood working, etc.	1,185	9.8	4.9	7.0	17.3	621	5.4	3.0	2.8	3.8
7. Food and liquors	959	6.7	5.4	9.3	9.8	359	2.5	2.3	5.5	2.7
8. Theaters and music	1,453	11.2	12.0	7.7	7.2	1,204	0.9	11.4	7.5	6.3
9. Tobacco	385	3.8	7.3	5.1	4.0	239	2.0	3.6	4.1	1.6
10. Restaurants and retail trade	346	4.1	3.6	5.2	5.4	79	0.9	0.4	1.7	0.6
11. Public employment	1,065	10.0	2.6	1.8	9.2	110	1.0	1.4	1.7	2.2
12. Stationary enginemen	297	2.1	1.3	1.6	1.9	123	0.9	0.6	0.9	0.2
13. Miscellaneous	721	5.4	3.0	3.1	5.2	288	2.2	2.4	2.0	4.0
Total	42,658	10.5	5.7	4.9	9.7	10,492	2.5	1.9	2.0	2.4

TABLE 8.— NUMBER OF UNION MEMBERS IDLE AT END OF SEPTEMBER ON ACCOUNT OF —

INDUSTRY.	LACK OF WORK.			LABOR DISPUTES.			ALL OTHER.		
	1905.	1906.	1907.	1905.	1906.	1907.	1905.	1906.	1907.
Building, stone working, etc.	1,664	4,443	15,193	380	198	133	1,297	2,348	2,422
Transportation	1,231	912	2,514	158	225	1,555	609	678	601
Clothing and textiles	3,934	2,863	3,440	410	454	4,145	346	388	1,066
Metals, machinery, etc.	686	173	2,205	282	483	307	521	542	541
Printing, binding, etc.	1,094	505	1,350	233	2,420	251	417	449	524
Wood working and furniture	427	181	1,051	246	110	....	75	329	134
Food and liquors	624	611	723	165	....	7	478	111	229
Theaters and music	798	1,221	1,258	....	10	182	28	88	13
Tobacco	214	232	139	1	9	....	395	620	246
Restaurants and retail trade	490	226	253	....	2	20	40	55	73
Public employment	62	102	800	....	....	....	100	138	265
Stationary engine men	158	129	202	....	....	54	33	38	41
Miscellaneous	143	71	273	1	8	262	163	224	186
Total	11,525	11,669	29,401	1,876	3,919	6,916	4,502	6,008	6,341

Considering continuous idleness throughout the quarter it appears that the proportion of such idleness increased in each of six of the industries but that such increase did not amount to more than one-half of 1 per cent except in the buildings and woodwork-

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ing trades. Bearing in mind the relative importance of these two industries (*cf.* Table 4 above) it will be seen that the increase from 0.6 per cent in the building trades in both 1905 and 1906 to 3.1 in 1907 is the principal feature in the increase of continuous idleness during the third quarter. Of decreases in such idleness those in the clothing (— 1.5 per cent) and printing (— 2.2 per cent) trades are the most notable.

Considering idleness at the end of September the heaviest increase was in the building trades, caused entirely by "lack of work" or slack trade. Statistics of building operations for July, August and September in leading cities (*cf.* Table IV in Appendix) would indicate that the slackness in the building industry was chiefly in New York City (over 70 per cent of the union membership in the building trades is in the metropolis) where, although the cost of alterations remained the same and their number actually increased, the estimated cost of new buildings authorized was nearly one-third less this year than last and the number of new buildings commenced was over one-fourth less, whereas the figures for Buffalo and Rochester, especially the latter, show increased activity and Syracuse shows a considerable increase in number of new buildings and alterations though the total cost of such was less than last year.

But idleness at the end of the quarter increased notably in other industries. In the clothing trades the percentage of idleness increased but little less than that for the building trades and the proportion of idleness at the end of the September was higher in the clothing industry than in any other. Table 8 shows that this increase was almost all due to labor disputes which Table II of the Appendix shows to have been principally in the garment making trades and which, as a matter of fact, is for the most part traceable to the extensive strike of coat tailors in New York City. In the transportation trades there was a marked increase of unemployment as compared with 1905 or 1906 due in part to lack of work and in part to labor disputes, the strike of telegraphers accounting for practically all of the latter. In the metal trades, where also idleness shows a marked increase over the last two years, lack of work was the prime cause. It

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is noticeable that in the printing trades, which as already indicated, showed the largest improvement in quarterly earnings of those who had work, although idleness decreased in 1907 as compared with 1906, when there was an exceptional amount due to the eight-hour strikes, nevertheless the percentages both for the end of September and the entire quarter are higher than in 1904 or 1905. Table 8 makes it clear that labor disputes caused comparatively little idleness at the end of September outside of the transportation and clothing trades as above noted.

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TRADE AND LABOR UNIONS.

The June BULLETIN noted a growth in labor arganization between October 1, 1906, and March 31, 1907, exceeding in amount that for any similar period since 1903. The same thing is true in a more marked degree for the next six months, April 1 to September 30, 1907. The increase in number of labor organizations in the last six months (39) exactly equalled that in the former, but the growth in membership during the spring and summer (22,373) much exceeded that of the preceding fall and winter (16,225). As a result of this growth the number of unions in the state on September 30th was but two short of 2,500, a figure exceeded in but two previous years, while the number of union members, 437,092, surpasses any previous record by more than 37,000.

TABLE 1.—NUMBER AND MEMBERSHIP OF LABOR UNIONS, 1897–1907, WITH SEMI-ANNUAL INCREASE.

YEAR.	ORGANIZATIONS.			MEMBERS.		
	March.	Sept.	Increase.	March.	Sept.	Increase.
1897	927	1,009	82	142,570	168,454	25,884
1898	1,048	1,087	39	179,955	171,067	*8,888
1899	1,156	1,320	164	173,516	209,020	35,504
1900	1,452	1,635	183	232,533	245,381	12,848
1901	1,742	1,871	129	244,851	276,141	31,290
1902	1,930	2,229	299	279,950	329,101	49,151
1903	2,362	2,583	221	357,102	395,598	38,496
1904	2,555	2,504	*51	399,699	391,676	*8,023
1905	2,420	2,402	*18	374,531	383,236	8,705
1906	2,411	2,420	9	394,270	398,494	4,224
1907	2,459	2,498	39	414,719	437,092	22,373

The total number of new unions formed during July, August and September was 136 but in the same period 97 old unions disbanded or amalgamated with others, leaving the net gain of 39.

As made plain by Table 2 below this gain was contributed chiefly by the building (+ 19), transportation (+ 10), clothing (+11), and metal trades (+7). Of the other groups of trades, however, four made some gains leaving but five (printing, woodworking, food and liquors, public employment and miscellaneous) in which the number of unions declined none of these losses exceeding a half dozen and the two leading ones being in the miscellaneous group (— 6) and in food and liquors (— 5).

* Decrease.

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NUMBER OF LABOR UNIONS DISBANDED, AMALGAMATED OR ORGANIZED APRIL 1–OCTOBER 1, 1907.

GROUPS OF TRADES.	Reorganized.	Disbanded.	Amalgamated.	Total lapsed.	New organizations.	Net change.
1. Building, stone working, etc.	3	14	1	15	34	+19
2. Transportation	....	6	1	7	17	+10
3. Clothing and textiles	8	4	2	6	17	+11
4. Metals, machinery, etc.	2	13	2	15	22	+7
5. Printing, binding, etc.	1	3	.....	3	2	−1
6. Woodworking and furniture	1	5	.....	5	3	−2
7. Food and liquors	2	6	1	7	2	−5
8. Theaters and music	....	.....	1	1	5	+4
9. Tobacco	....	.....	.....	.....	1	+1
10. Restaurants and retail trade	....	8	1	9	11	+2
11. Public employment	1	5	4	9	6	−3
12. Stationary engine men	....	3	.....	3	5	+2
13. Miscellaneous	1	16	1	17	11	−6
Total	19	83	14	97	136	+39

The following Table 3 shows the changes in union membership, as well as in number of unions, in the different industries or groups of trades and in New York City, where are over 65 per cent of the unionists of the state, and the remainder of the state. Gains in number of organizations were made chiefly outside of the metropolis but the reverse is true in respect of membership, about three-fourths of the increase being in New York City.

TABLE 3.—CHANGES IN NUMBER OF LABOR ORGANIZATIONS AND MEMBERSHIP OF SAME IN NEW YORK CITY AND THE REMAINDER OF THE STATE, APRIL 1 TO OCTOBER 1, 1906.

GROUPS OF TRADES.	ORGANIZATIONS.		MEMBERS.		
	New York City.	Other places.	New York City.	Other places.	New York State.
1. Building, stone working, etc.	.....	+19	−1,066	+4,004	+2,938
2. Transportation	+1	+9	+2,415	+3,102	+5,517
3. Clothing and textiles	+7	+4	+7,717	+752	+8,469
4. Metals, machinery, etc.	.....	+7	+1,073	−2,413	−1,340
5. Printing, binding, etc.	.....	−1	+551	−279	+272
6. Wood working and furniture	+1	−3	+74	−108	−34
7. Food and liquors	.....	−5	+620	−49	+571
8. Theaters and music	.....	+4	+3,594	+361	+3,955
9. Tobacco	+1	.....	+195	−55	+140
10. Restaurants and retail trade	.....	+2	−474	+435	−39
11. Public employment	−5	+2	+1,100	−1	+1,099
12. Stationary engine men	+1	+1	+116	+565	+681
13. Miscellaneous	+1	−7	+826	−682	+144
Total	+7	+32	+16,741	+5,632	+22,373

There were gains in union membership during the six months in every one of the thirteen industries or groups of trades except three. The largest increase appears in the clothing trades, amounting to nearly 8,500, nine-tenths of which was in New York City where the great bulk of organized workpeople in this industry are found. This large increase in the metropolis, though distributed among a considerable number of trades, is in large part accounted for by two conspicuous gains of 3,500 by

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the fur workers and 1,800 by the coat makers. An increase of 5,500 in the transportation trades was partly in New York City, where a new boatmen's union with 1,800 members would account for three-quarters of the increase, and partly in other localities being pretty well distributed as to places and trades. An increase of 3,200 members by the actors' unions in New York City made up the bulk of an increase of 3,900 in the group of theaters and music. A gain of 2,900 in the building trades is found to have been entirely outside of the metropolis where as a matter of fact the total for those trades declined by over 1,000 while the total for the rest of the state increased 4,000. This decrease in the metropolis, which amounted to less than 1 per cent, was the product of a number of fluctuations, none conspicuously large, but was shared in greater or less degree by a considerable number of the skilled building and paving trades, the stone working trades and unskilled building occupations, especially the former, showing gains in membership. Similarly the increase in membership for the remainder of the state was pretty well distributed, the most notable trade increases being one of 1,600 among the carpenters and one of 1,200 among the painters in various localities. The increase of 1,100 members in organizations of public employees all in New York City, was chiefly the effect of an increase of 800 among the organized drivers and hostlers of the street cleaning department.

In but one group of trades was there a decline in union membership of any account. In the metal trades there was an increase of over 1,000 in New York City but for the remainder of the state the total decreased by 2,400. Both these changes are found to have been in the iron and steel trades. New York City's gain was the product of increases in several trades but the up-state decline was wholly due to a slump of 2,500 in the unions of electrical apparatus makers in Schenectady. As the membership in this occupation comprised in March 47 per cent of all the unionists in the city, the slump caused a heavy decline for Schenectady as a whole in marked contrast to the half dozen other leading trade union centers of the state, as shown in Table 4. The distribution of unions and membership in each of these cities by industries may be seen in Table III of the Appendix.

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TABLE 4.— NUMBER AND MEMBERSHIP OF LABOR UNIONS IN LEADING CITIES.

CITY.	ORGANIZATIONS.			MEMBERSHIP.			
						Increase.	
	March.	Sept.	Change.	March.	Sept.	Number.	Per cent.
New York	706	713	+7	269,729	286,470	16,741	6.2
Buffalo	180	181	+1	31,817	32,715	898	2.8
Rochester	87	84	—3	14,895	15,396	501	3.4
Syracuse	84	86	+2	8,337	8,884	547	6.6
Albany	84	83	—1	7,936	8,619	683	8.6
Schenectady	54	52	—2	9,777	7,483	*2,294	*23.5
Troy	48	49	+1	4,793	4,824	31	0.6
Total	1,243	1,248	+5	347,284	364,391	17,107	4.9
All other places	1,216	1,250	+34	67,435	72,701	5,266	7.8
Grand total	2,459	2,498	+39	414,719	437,092	22,373	5.4

At the end of September, 1907, there were 28 trades in which the union membership equaled 4,000 or more. Table 5 exhibits the membership in these trades on that date, arranged according to size of membership, together with comparative figures for 1906, 1905 and 1894. During the six months, April to September, two trades (out of 26 having 4,000 or more members on March 31st) lost members enough to fall below the 4,000 mark, namely, the electrical apparatus makers and cabmen and coach drivers, while four — actors, coat makers, bartenders and fur workers — by increases in membership reached and passed that mark.

TABLE 5.— NUMBER AND MEMBERSHIP OF UNIONS IN THE PRINCIPAL TRADES.

TRADES.	UNIONS.				MEMBERS.			
	1894.	1905.	1906.	1907.	1894.	1905.	1906.	1907.
Carpenters and joiners	86	182	184	194	9,021	22,909	29,710	32,841
Hod carriers	27	39	50	52	6,742	14,838	18,218	18,708
Excavators	..	1	2	2	....	16,000	16,010	16,350
Painters and decorators	25	93	98	102	4,458	13,958	13,525	14,384
Bricklayers and masons	47	80	82	83	7,738	12,131	13,445	13,050
Stationary engineers	10	69	61	59	939	7,882	8,200	10,194
Cigarmakers	47	53	52	53	8,198	10,388	10,174	10,069
Compositors	27	50	45	43	7,068	10,063	9,870	9,775
Team drivers	1	38	†30	†41	47	7,694	†5,728	†9,236
Machinists	17	61	57	58	1,180	7,759	7,709	8,886
Musicians	17	38	37	40	4,584	8,085	7,873	8,738
Trainmen	39	46	45	45	1,521	7,190	7,495	8,220
Iron molders	30	47	47	47	3,158	7,036	7,548	7,411
Brewery workmen§	24	55	52	50	3,153	6,683	7,053	7,362
Plumbers and gasfitters	‡11	48	48	54	‡3,895	6,556	5,920	6,314
Plasterers	4	13	14	15	2,703	4,904	6,286	5,798
Actors and chorus singers	2	4	7	6	393	3,147	3,486	5,363
Firemen, locomotive	31	40	42	44	2,439	4,587	4,759	5,034
Coat makers	5	10	11	13	1,756	4,017	3,363	4,945
Telegraphers	..	16	15	17	....	3,818	4,349	4,912
Jacket makers	3	4	4	6	2,675	1,695	2,500	4,799
Engineers, locomotive	34	41	41	43	3,241	4,204	4,364	4,725
Electrical workers¶	2	36	38	41	666	5,180	4,928	4,601
Letter carriers	2	81	86	88	1,183	4,065	4,184	4,587
Stationary firemen	1	16	14	15	36	4,155	4,450	4,380
Roofers and sheet metal workers	8	39	41	44	1,854	3,649	4,080	4,222
Bartenders	5	44	40	42	363	5,886	3,768	4,197
Fur workers	..	2	2	8	....	340	404	4,126

* Decrease.
†Includes commission wagon drivers, delivery wagon drivers, express and mail wagon drivers, ice handlers and truck drivers.
§All branches, including grains workers and maltsters.
‡Includes steam fitters and helpers. ¶Includes cable splicers and linemen.

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On March 31, 1907, there were 12,515 organized working women in the state. At the end of September the number had increased to 14,231. This increase of 1,716 was caused principally by the presence of nearly 800 women among the newly organized fur workers in New York City, together with 250 more in a new metropolitan union of straw hat makers.

The relative increase in number of organized working women, nearly 14 per cent, considerably exceeded that for union men, a little over 5 per cent, but organized women still constitute but a small fraction, 3.3 per cent, of the total number of trade unionists in the state.

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INDUSTRIAL RELATIONS IN NEW YORK.

Statistics of Disputes in July, August and September.

The third quarter of 1907, according to the records of the Bureau of Mediation and Arbitration, saw the beginning of 73 strikes or lockouts. As a result of these disputes 21,695 workers who were directly interested were rendered idle and 15,640 others, although not themselves directly concerned, were thrown out of work. In addition to the new disputes 14 others begun in the second quarter caused the loss of 69,208 days during July, August and September making the total amount of time lost during the third quarter 415,116 days. This shows an increase of 45,000 days lost over the third quarter of last year when the aggregate loss of time was 370,000 days.

The high record for number of disputes in the third quarter of 1906 was equaled this year, and the number involved was nearly twice as great. The following figures show the number of strikes and employees directly involved in the third quarter of each year since 1903:

	1903.	1904.	1905.	1906.	1907.
New disputes recorded.....	34	22	59	73	73
Employees directly concerned.....	7,151	13,643	11,657	13,795	21,695

Of the total number of disputes recorded, seventeen caused the loss of more than two thousand days each as compared with eighteen in the third quarter of 1906. Ten of the seventeen disputes were entirely in New York City, and account for by far the larger proportion of time lost. From the point of view of the general public the most serious dispute was that of the commercial telegraphers, involving 1,260 employees in seventeen localities about one thousand of whom were in New York City. The following table gives some statistics concerning the principal strikes of the quarter:

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LOCALITY.	Trade.	Date.	EMPLOYEES AFFECTED. Directly.	Indirectly.	Aggregate days lost.
New York City	Furriers	Aug. 23–Oct. 5	6,000	.....	*84,934
New York City	Tailors	July 15–Aug. 15.	6,000	14,000	70,000
†New York State Cities	Telegraphers	Aug. 12–Nov. 6	1,260	.....	*54,180
Mechanicville	Pulp workers	July 22–Sept. 30.	350	300	34,650
New York City	Barbers	Aug. 12–24	2,000	.....	24,000
Firthcliffe	Carpet weavers	Aug. 22–	228	447	*15,351
New York City	Shirtmakers	July 22–Sept. 14.	1,000	.....	6,500
Buffalo	Building laborers	July 9–Aug. 5	500	.....	6,000
New York City	Whitegoods makers	Aug. 9–Sept. 9	181	3	5,784
New York City	Enameledware makers.	July 8–20	650	.....	5,200
New York City	Meat wagon drivers	Aug. 22–Sept. 9	235	.....	3,760
New York City	Hat band makers	Aug. 3–Sept. 23	80	.....	3,520
New York City	Engineers and rock-men	Sept. 3–	129	.....	*3,096
New York City	Cigarmakers	Aug. 15–Oct. 12	75	.....	*3,000
Albany	Stove mounters	Sept. 9–30	19	142	2,633
Rifton	Carpet weavers	Aug. 5–Sept. 14	59	.....	2,065
Buffalo	Car inspectors and repairers	Aug. 1–20	200	.....	2,000

Arrangement of the statistics of disputes in the third quarter by causes shows that more than one-third of the disputes were for advances in wages, while trade unionism accounts for one-fifth. Measured by number of workers directly concerned the five largest disputes of the quarter (the furriers', tailors', telegraphers', barbers' and shirtmakers' in the preceding table) serve to make trade unionism and reduction of hours the leading subjects of disputes.

CAUSE OR OBJECT.	NUMBER OF DISPUTES. Won by—Workers.	Won by—Employers.	Compromised.	Pending or not reported.	Total.	Employees directly concerned.
Increase of wages	5	12	9	3	29	1,867
Reduction of wages	2	3	.....	.....	5	256
Reduction of hours	1	3	2	.....	6	a8,601
Trade unionism	2	10	2	.....	14	b9,254
Employment of particular classes or persons	1	7	.....	.....	8	487
Working arrangements	.....	3	3	.....	6	1,032
Payment of wages	1	.....	.....	.....	1	50
Sympathetic	.....	.....	1	.....	1	36
Miscellaneous	2	1	.....	.....	3	112
	14	39	17	3	73	.....
Employees directly concerned	c1,784	d6,724	e12,758	429	....	21,695

Of the 73 new disputes recorded, 39, or a little more than one-half, were won by employers, whereas the workmen were

*To September 30. †These cities are New York City, Albany, Buffalo, Binghamton, Elmira, Jamestown, Lockport, Newburgh, Niagara Falls, North Tonawanda, Poughkeepsie, Rochester, Saratoga, Schenectady, Seneca Falls, Syracuse and Utica.

a Includes 6,000 in the tailors' and 2,000 in the barbers' disputes in New York City.

b Includes 6,000 in the furriers' and 1,000 in the shirtmakers' disputes in New York City and 1,260 in the telegraphers' dispute.

c Includes 1,000 in the shirtmakers' dispute in New York City.

d Includes 2,000 in the New York City barbers' dispute and 1,260 in the telegraphers' dispute.

e Includes 6,000 in the tailors' and 6,000 in the furriers' disputes in New York City.

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wholly successful in obtaining their demands in 14 disputes and partially successful in 17 others. Of the 14 disputes concerning trade unionism, the employers were successful in 10. The employees, on the other hand, were more successful in obtaining increases of wages, receiving their full demand in 5 cases and a part in 9 others. Of the employees directly concerned 31 per cent were totally defeated, 8 per cent were wholly successful and 59 per cent secured some form of compromise.

Intervention by Bureau of Mediation and Arbitration.

In the summary appended to this article are set forth the more general facts concerning 23 cases of intervention in labor disputes reported by the Bureau of Mediation and Arbitration for July, August and September of 1907. All of these interventions occurred in strikes or lockouts and after stoppage of work had occurred except one, in which case the Bureau intervened before any stoppage of work and a threatened strike was not declared although the efforts of the Bureau's representative did not effect a settlement of the dispute. The Bureau intervened in the first instance upon its own initiative in 17 of the 23 cases. In the other 6 cases the workpeople had requested intervention, no request for intervention coming in the first instance from employers.

In all the cases the intervention was in the nature of personal efforts to bring about conciliation made by individual members of the Bureau's staff, there being no case of arbitration either by individuals or the State Board. It must be understood that the column of the summary setting forth the "nature and result of Bureau's action" contains only a crude characterization or measure of the Bureau's action or results accomplished. It serves, however, to bring out the fact that the Bureau's representatives were able to bring about conferences of the parties, naturally an object of prime importance in such intervention, in six cases, or one-fourth of the total. In some cases more than one conference was brought about. In the seventeen cases in which the parties could not be brought together the work of the Bureau's representatives varied all the way from simple formal offer of services to numerous interviews with the parties in an endeavor to arrange a meeting or secure concessions.

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The terms "settled" or "not settled" refer only to direct effects plainly traceable to the Bureau's efforts. In 2 cases out of the 23 the Bureau's representatives reported that a settlement resulted immediately from their efforts, once after a conference of parties and once by the securing of concessions from one side which were acceptable to the other. In a third case the conference arranged did not bring an immediate settlement, but the terms therein discussed became ultimately the basis of settlement so that this case is credited as settled in part at least.

In a fourth case, already alluded to (Little Falls leather workers), the conference arranged by the Bureau prior to any stoppage of work ended without any agreement, the employers refusing any concession, but the evening of the same day the union voted not to strike for the enforcement of its demands.

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SUMMARY OF INTERVENTIONS BY BUREAU OF MEDIATION AND ARBITRATION IN JULY, AUGUST AND SEPTEMBER, 1907.

Date of dispute.	Locality.	Number and trade of employees involved. [Italics=trades indirectly affected.]	Intervention— Before or after stoppage of work.	Intervention— Requested by—	Nature and result of Bureau's action.	Close of dispute.
April 29	New York City..	176 jewelry and silver case makers.	After.....	.....	Conferences of parties arranged. Not settled....	Oct. 12
May 28	New York City..	200 hotel porters.....	After.....	Workers..	Employers interviewed. Not settled.....	June 17
June 1	New York City..	230 wire workers.....	After.....	Workers..	Employers interviewed. Not settled.....	Aug. 1
June 3	New York City..	215 white goods makers.....	After.....	.....	Each party interviewed. Not settled.....	July 8
June 11*a*	West Seneca....	39 blacksmiths and helpers.	After.....	Workers..	Employers interviewed. Not settled.....	*b*
June 28*a*	New York City..	14 teamsters.....	After.....	.....	Each party interviewed. Settled.....	July 31
July 2	New York City..	105 box makers.....	After.....	.....	Conference of parties arranged. Settled.....	July 13
July 8*c*	New York City..	650 agate ware makers.....	After.....	.....	Each party interviewed. Not settled.....	July 20
July 15	New York City..	20,000 coat makers.....	After.....	.....	Each party interviewed. Not settled.....	Aug. 15
July 22	New York City..	1,000 shirt makers.....	After.....	.....	Conference of parties arranged. Settled in part..	Sept. 14
Aug. 1	Buffalo.....	200 car inspectors and repairers.	After.....	.....	Each party interviewed. Not settled.....	Aug. 20
Aug. 3	New York City..	80 hat band makers.....	After.....	.....	Each party interviewed. Not settled.....	Sept. 23
Aug. 9	New York City..	184 white goods makers.....	After.....	.....	Services of Bureau offered to each party. Not settled.	Sept. 9
Aug. 12*d*	New York State.	1,260 telegraphers.....	After.....	.....	Each party interviewed. Not settled.....	Nov. 6
Aug. 13	New York City..	7 carpenters and plumbers	After.....	.....	Services of Bureau offered to employer. Not settled.	Oct. 8
Aug. 21	New York City..	35 firemen and oilers.....	After.....	.....	Each party interviewed. Not settled.....	Aug. 21
Aug. 22	New York City..	235 meat wagon drivers.....	After.....	.....	Each party interviewed. Not settled.....	Sept. 9
Aug. 23	New York City..	6,000 furriers.....	After.....	.....	Each party interviewed. Not settled.....	Oct. 5
Sept. 9	Albany.....	161 stove mounters and *others*	After.....	.....	Conference arranged. Not settled.....	Sept. 30
Sept. 10*e*	Little Falls.....	196 leather workers.....	Before...	Workers..	Conference arranged. No agreement, but no strike occurred.	Sept. 20
Sept. 11*e*	Albany.....	30 laborers.....	After.....	Workers..	Employer interviewed. Not settled.....	Sept. 11
Sept. 11	New York City..	54 machinists.....	After.....	Workers..	Conference arranged. Not settled.....	Oct. 12
Sept. 11	New York City..	72 skirt pressers.....	After.....	.....	Each party interviewed. Not settled.....	Sept. 23

a See account of this case in September (1907) Bulletin, p. 312. *b* No definite date. *c* See account in September (1907) Bulletin, p. 309.
d This dispute was national in extent. *e* Date of request for intervention.

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Joint Trade Agreements.

BUFFALO TYPOTHETAE AND BOOKBINDERS' UNION.

THIS AGREEMENT by and between the Typothetae of Buffalo and the Local Bookbinders' Union No. 17, of the International Brotherhood of Bookbinders, dated at Buffalo, N. Y., October 25, 1907.

WITNESSETH:

That, for and in consideration of the sum of one dollar each to the other paid, the receipt of which is hereby acknowledged, and in consideration of the further covenants and agreements, herein set forth, the parties hereto do hereby agree as follows:

That from and after the first day of January, 1908, until the thirty-first day of December, 1910, both inclusive, the scale of wages to be paid to the members of said Union employed by the members of the Typothetae of Buffalo shall be as follows:

General forwarders, grade A, $17.00 per week; general forwarders, grade B, $15.50 per week; cutters, $15.00 per week; lithograph cutters, $16.00 per week; rulers, $17.00 per week; finishers, gilders, stampers, $18.00 per week; operator on Crawly rounder and backer, $17.50 per week.

Time and a half for hours before or after the mutually agreed upon hours for beginning and stopping work. Men put on at night after working through the day shall be paid time and one-half up to midnight, and double time thereafter to the regular time for starting.

For work done on Sundays, and the following legal holidays, double time shall be paid: New Year's Day, Decoration Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

Fifty-four hours to constitute a week's work up to and including the thirty-first day of December, 1908. From January 1, 1909, to December 31, 1910, both inclusive, forty-eight hours shall constitute a week's work.

A part and parcel of this agreement is that there shall be, during its life, no strike or lockout, either sympathetic or otherwise.

In case of dispute the question shall be referred, as soon as practicable and within a week at the utmost, to a joint conference committee, composed of three each from the Typothetae of Buffalo and the Bookbinders' Local Union No. 17 for settlement, and in case of their inability to reach any agreement, the matter shall be arbitrated; one arbitrator to be chosen by the president of the Typothetae of Buffalo; the second by the president of Buffalo Bookbinders' Union No. 17, I. B. of B., and these two arbitrators so chosen shall together choose the third, and the findings of this board shall be final and observed by both parties. Such ruling by the conference committee or arbitrators must be consummated within three months of date of notice by either party.

For the Typothetae of Buffalo,

E. A. KENDRICK, *President.*
LANGDON B. CLARK, *Secretary.*

For Bookbinders' Local Union No. 17,

BERT FOX, *President.*
EDW. C. STREILE, *Secretary.*

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BUREAU OF FACTORY INSPECTION.

Tables VI, VII and VIII of the Appendix contain the usual quarterly statistics of the work of the deputy factory inspectors, issuance of children's employment certificates in principal cities and licenses for manufacturing in tenement houses for the third quarter of 1907. In the September BULLETIN was begun a series of articles by the Chief Factory Inspector containing suggestions on the guarding of machinery for the benefit of deputy factory inspectors and manufacturers. This series is to be continued, but for the present number has been temporarily interrupted owing to the resignation on October 1st of the former Commissioner of Labor P. Tecumseh Sherman and the appointment as his successor of the former Chief Factory Inspector John Williams. Commissioner Williams' appointment was confirmed by the Senate on January 13th.

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RECENT IMMIGRATION STATISTICS.

The annual report of the Commissioner-General of Immigration for the year ended June 30, 1907, shows the total number of aliens admitted to the United States during that year to have been 1,285,349, or 17 per cent more than in the preceding year when all previous records were surpassed. The quarterly statistics of immigration at the port of New York for July, August and September in this BULLETIN (see Appendix, Table V) show very little, if any, ebb in the flood of immigration for the first three months following the year covered by the Commissioner's report, the number admitted at New York in the third quarter of 1907 being very nearly 14 per cent greater than for the corresponding quarter of 1906.

Of the million and a quarter of aliens who, in the year ended June 30th last, came to take part in the industrial life of this country, 1,004,756 were admitted at the port of New York and 386,244, or 30 per cent, gave New York State as their destination. The occupations of these New York State immigrants were as follows:

OCCUPATION.	NUMBER OF IMMIGRANTS.
Professional:	
Actors	612
Architects	265
Clergy	327
Editors	81
Electricians	334
Engineers (professional)	1,482
Lawyers	217
Literary and scientific persons	365
Musicians	555
Officials (government)	163
Physicians	268
Sculptors and artists	491
Teachers	791
Other professional	652
Total	6,603
Skilled:	
Bakers	2,227
Barbers and hairdressers	2,146
Blacksmiths	2,146
Bookbinders	418
Brewers	177
Butchers	2,032
Cabinetmakers	492
Carpenters and joiners	8,542
Clerks and accountants	5,880
Dressmakers	5,278
Engineers (locomative, marine and stationary)	413
Engravers	64
Furriers and fur workers	588
Gardeners	639
Hat and cap makers	476
Iron and steel workers	658

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OCCUPATION.	NUMBER OF IMMIGRANTS.
Skilled — (Continued):	
Jewelers	196
Locksmiths	1,804
Machinists	803
Mariners	3,468
Masons	4,215
Mechanics (not specified)	868
Metal workers (other than iron, steel and tin)	493
Millers	420
Milliners	538
Miners	1,252
Painters and glaziers	2,780
Photographers	245
Plasterers	556
Plumbers	291
Printers	676
Saddlers and harnessmakers	422
Seamstresses	2,959
Shipwrights	73
Shoemakers	5,863
Stokers	767
Stonecutters	714
Tailors	18,991
Tanners and curriers	280
Textile workers (not specified)	72
Tinners	956
Tobacco workers	576
Upholsterers	252
Watch and clock makers	525
Weavers and spinners	874
Wheelwrights	238
Woodworkers (not specified)	268
Other skilled	837
Total	85,443
Miscellaneous:	
Agents	415
Bankers	183
Draymen, hackmen and teamsters	387
Farm laborers	66,110
Farmers	2,559
Fishermen	207
Hotel keepers	144
Laborers	82,458
Manufacturers	256
Merchants and dealers	8,314
Servants	40,993
Other miscellaneous	3,288
Total	205,254
No occupation (including women and children)	88,944
Grand total	386,244

Of the alien immigrants admitted in the fiscal year 1907 nearly 68 per cent came from Austria-Hungary, Italy and Russia. These countries have for several years been the principal sources of immigration, but Austria-Hungary and Italy now appear to have changed places as first and second in importance. From 1901–1904 and in 1906 Italy contributed the largest number to the stream of immigrants. In 1905, however, the number from Austria-Hungary exceeded that from Italy and in 1907 Austria-Hungary by a heavy increase again took the first place. Russia has stood third since 1898, but with steadily increasing numbers.

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The following figures show the numbers of immigrants coming from these principal sources, with increases in 1907:

	TOTAL ADMITTED.		Increases.
	1907.	1906	1907.
Total immigration	1,285,349	1,100,735	184,614
Austria-Hungary	338,452	265,138	73,314
Italy	285,731	273,120	12,611
Russia	258,943	215,665	43,278

The proportion of males among immigrants is highest (79 per cent) among those from Italy, and lowest (66 per cent) among those from Russia, while among those from Austria-Hungary it is 70 per cent. Illiteracy is not shown in the Commissioner's report for immigrants by countries but only for races as in the quarterly statistics regularly published in these BULLETINS. But a careful comparison according to the races principally represented in the immigrants from each country would indicate that the Austro-Hungarians are less illiterate than the Italians. On the other hand there is a larger proportion of immigrants with skilled occupations among the Italians.

Of the total number of immigrants debarred in 1907 (13,064 as compared with 12,432 in 1906) 1,434 were refused admission as being contract laborers. Concerning the perennial problem connected with this subject the Commissioner speaks in part as follows:

"The difficulties attendant upon the administration of the law were described in the annual report for 1905 (pp. 44–46), and were again alluded to in the report for last year (p. 65). It was no easier of enforcement in 1907 than in the preceding years. In this connection the Bureau is hopeful of better results under the new act, which is drawn in terms much more certain than the old, especially the clause of section 2 thereof descriptive of what constitutes a 'contract laborer,' viz, a person who has been 'induced or solicited to migrate to this country by offers or promises of employment or in consequence of agreements, oral, written, or printed, express or implied, to perform labor in this country of any kind, skilled or unskilled.' This definition should, in the Bureau's judgment, set at rest all controversy as to whether the act of 1903 was sufficient in its terms to do more than exclude

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aliens actually 'under contract' in the ordinary sense of the term — a view quite extensively entertained. If that view had been followed by the immigration officers during all of the four years of the existence of the act of 1903, comparatively few of this class of persons would have been excluded; for it is next to impossible, even in cases where a specific agreement actually exists, to obtain evidence of its existence. In fact, so thoroughly familiar are both aliens and those interested in violating this statute with the construction that has been placed upon it by the administrative officers that, beyond any question, many evasions have occurred. Great activity in this respect has been apparent during the past few months. Party after party of aliens has arrived at the large seaports, the members of which were not only traveling together, but were enlisted from the same localities in Europe, were destined to practically the same addresses in this country (usually in one of the large centers of labor employment), often carrying slips of paper or cards giving addresses of supposed relatives or friends written quite apparently by the same hand, yet when questioned these men were found to be quite ready with evasive or misleading replies to all questions calculated to develop that it was their intention to accept prearranged employment, and it was impossible to secure any direct evidence of the existence of an agreement or contract, or even of an assurance of work awaiting them; circumstantial evidence of varying degree is all that could be procured. * * *

"Altogether, the attempts to violate the law have been numerous and varied. Many of them have been frustrated, but, doubtless, in other instances where the plans of the importers were more unusual and less easily detected, the law has been violated with impunity.

"The provisions in the new act (sec. 24), allowing the expenditure of $50,000 annually for the special purpose of enforcing the alien contract-labor laws, will, it is thought, be of incalculable benefit, and the Bureau will be much disappointed if, with the added facilities of investigation thus afforded, definite and valuable results are not attained. It will now be possible to devote more time and better talent to the investigation and remedying

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of this important matter. So long as healthy, honest, industrious laborers, either unskilled or skilled, seek this country impelled by no other motive than a desire to better their condition, by availing themselves of a natural demand for their services, no one is entitled to complain, but the moment that the migration of any class of laborers is induced, encouraged, or assisted by the prospective employer, there is an encroachment upon that principle essential to the protection of our own institutions and standards of living and constituting the very marrow of the alien contract-labor legislation, which requires that preference shall be given by the employer to our own labor market in the selection of his employees and that a foreign source of supply shall be resorted to only in case of absolute necessity, and even then solely by the statutory means. This means is the proviso to section 2 of the immigration act reading:

And provided further, That skilled labor may be imported if labor of like kind unemployed cannot be found in this country.

"Circumstances occasionally arise under which it becomes necessary to accord the privilege of this proviso to employers of skilled labor. Such a case was one, known as the 'Lithographer's case,'* which has been somewhat widely noted and concerning which an erroneous impression has arisen in the minds of some.* * * * In considering this case, the Bureau followed its universal and well-defined policy of requiring the most convincing proofs whenever an effort is made to establish that certain aliens come within the exception to the contract-labor laws, for it believes, and has always maintained, that these special exceptions are to be strictly construed, and that no one is to be granted the privilege contemplated thereby in the absence of a wholly satisfactory showing.

"The most distressing branch of the alien contract-labor law violations is that which involves the use of what has come to be commonly called the 'padrone system'; for by this means not only is foreign labor introduced under contract or agreement, but often the laborers are mere boys and are practically enslaved by the padrones who effect their importation. This system is ap-

*A full account of this case and the decisions rendered on it may be found in an account of the lithographers' strike in the annual report of the Bureau of Mediation and Arbitration for 1906, p. 142, footnote.

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plied principally to youths of the Italian and Greek races, the boys being placed at hard labor with long hours, under conditions wholly unsuited to their age, and subjected to a wage arrangement which amounts practically to a method of blackmailing — in other words, they are in effect owned by the men who advance the money and procure their immigration from Greece and Italy. At the suggestion of the Department there was incorporated in the new immigration bill (sec. 2) a provision intended to reach these cases, and the Bureau trusts that in the future it will be possible to prevent the importation of more of this class than in the past. At the date of this report several important prosecutions against alleged padrones are about to be instituted, based upon investigations conducted during the early summer, resulting in discoveries that tend to show wholesale violations of the law by certain firms of importers located in some of the large cities of the West."

Concerning the general attitude of the Department of Commerce and Labor (of which the Bureau of Immigration and Naturalization is a part) the following is taken from extracts from the annual report of the Secretary of Commerce and Labor which are appended to the report of the Commissioner-General of Immigration:

"In this connection I cannot better illustrate my views in regard to some important phases of the contract-labor law than to set forth my decision of June 14, 1907, in a typical case affecting contract labor.

'Referring to Commissioner Watchorn's letter of June 12, containing the evidence submitted, the findings of the board, and his recommendation approving such findings, namely, that the appeal be dismissed, the subject has had my careful consideration. The contract-labor law, the act of February 26, 1885, entitled "An act to prohibit the importation and immigration of foreigners and aliens under contract to perform labor in the United States, its Territories, and the District of Columbia," as amended by various acts as set forth in the Department's publication, "Immigration Laws and Regulations of February, 1906," had for its object, as clearly set forth in the acts referred to, the exclusion of aliens that come under contracts, expressly or implied.

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These contracts in the very nature of things are usually, if not invariably, made so that the evidence is carefully concealed, and it requires very thorough investigation to unearth the existence of such contracts. In the execution of this law the Department has invariably considered all the surrounding circumstances, and has based its judgment as to the existence of such contract upon the evidence and circumstances thus adduced. The decision of the Attorney-General of March 20 was not intended to, and has not the effect of, curtailing or infringing upon the discretion vested by law in the Department in arriving at a determination and a decision whether such a contract as defined in the law exists in a particular case, and does not preclude the head of this Department from determinig for himself from the evidence adduced the fact of the existence of such a contract. The testimony given by Milo Poznanovic and others leaves no doubt in my mind that such a contract as contemplated by the law was made, and that if the machinery of the imigration law permitted such an exhaustive investigation as is had in a court of law even an enforceable contract would, in my judgment, be disclosed. I am desirous of exercising my full powers, and the discretion vested in me by law, to put an end to the abuses of the contract-labor law and to discourage to the utmost within my powers the continuance of these contracts, and to protect the labor of this country in its full rights under the fair and reasonable construction of the meaning and spirit of the laws above referred to. I therefore approve the findings of the board of special inquiry upon the hearing and rehearing of this case, and dismiss the appeal.' "

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RANK OF NEW YORK STATE IN MANUFACTURES.

The Bureau has already published in the BULLETIN the main facts regarding the manufactures of New York as returned at the United States census of 1905* but some of the comparisons made in the census office's final report, Part I of which is devoted to the United States by industries, are of particular interest to citizens of this state, notably the Table showing the rank of the states and territories in 32 leading manufacturing industries in 1900 and in 1905. New York's rank is shown below:

RANK OF NEW YORK IN 32 LEADING INDUSTRIES.
(Value of Products.)

INDUSTRY.	RANK IN —	
	1900.	1905.
1. Agricultural implements	3	2
2. Boots and shoes	2	2
3. Carriages and wagons	3	3
4. Cheese, butter and condensed milk	1	1
5. Clay products[1]	4	5
6. Clothing, men's	1	1
7. Clothing, women's	1	1
8. Confectionery	1	1
9. Cotton goods	10	11
10. Dyeing and finishing textiles	5	5
11. Electrical machinery, apparatus and supplies	1	1
12. Fertilizers	7	11
13. Flour and grist mill products	2	2
14. Food preparations	1	1
15. Furniture	1	1
16. Glass	6	7
17. Hosiery and knit goods	1	1
18. Iron and steel[2]	8	4
19. Jewelry	3	2
20. Leather, tanned, curried and finished	3	4
21. Liquors, distilled	8	5
22. Liquors, malt	1	1
23. Lumber and timber products	13	14
24. Lumber, planing mill products, including sash, doors and blinds.	1	1
25. Oil, cottonseed, and cake	....	.....
26. Paper and wood pulp	1	1
27. Petroleum, refining	3	3
28. Slaughtering and meat packing, wholesale	8	10
29. Tobacco, cigars and cigarettes	1	1
30. Turpentine and rosin	....	.....
31. Woolen goods	6	7
32. Worsted goods	5	5

At both censuses the state ranked first in cheese, butter and condensed milk; clothing, men's; clothing, women's; confectionery; electrical machinery, apparatus, and supplies; food preparations; furniture; hosiery and knit goods; liquors, malt; lumber, planing mill products, including sash, doors, and blinds; paper

*BULLETIN No. 30, September, 1906, pages 430–3; No. 31, December, 1906, pages 498–504, 530–7.

[1] Includes "brick and tile" and "pottery, terra cotta, and fire clay products."

[2] Includes "iron and steel, blast furnaces," and "iron and steel, steel works and rolling mills."

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and wood pulp; and tobacco, cigars and cigarettes. It was second in rank in boots and shoes, and in flour and grist mill products; third in carriages and wagons and in petroleum refining; and fifth in dyeing and finishing textiles, and in worsted goods. From 1900 to 1905 it advanced from third rank to second in agricultural implements, and in jewelry; from eighth to fourth in iron and steel, and to fifth in liquors, distilled; but dropped from third to fourth place in leather, tanned, curried, and finished; and from fourth to fifth in clay products (page ccx).

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DECISIONS OF NEW YORK COURTS.

Suit for Wages Under Trade Agreement.

Plaintiff, a member of a trade union, sues to recover wages for overtime work while in defendant's employ during the years 1900 and 1901. Two contracts were made between defendant and the local union of which plaintiff was a member, the first being in force from April 16, 1900, to May 1, 1901, and the second from May 1, 1901, to May 1, 1902. The plaintiff claimed it was agreed that ten hours should constitute a day's work for his kind of services for both the first and second years, but upon the production on the trial of the contract for the second year it appeared that twelve hours constituted a day's work for the class of workmen to which the plaintiff belonged. The plaintiff admitted upon the trial that if twelve hours were required to make a day's work he had failed in many instances during the second year's services to work a full day's work for which he had received a full day's pay, and the trial court thereupon ruled that the plaintiff was not entitled to recover anything for the second year, the plaintiff admitting that he had been paid for all services except the overtime. The defendant, however, insisted that the time for which the plaintiff had been overpaid should have been allowed against the time for extra work during the first year's services. The trial court refused to adopt that view, or to submit any question arising out of the second year's services, holding that it was not competent under the defendant's answer, which is a general denial (except defendant's incorporation), and allegations of settlement and payment.

From this ruling of the trial court the defendant appealed and the Fourth Appellate Department sustained the appeal, reversing the decision and ordering a new trial. It was held "that the trial court erred in excluding the testimony showing what time during the second year the plaintiff failed to work a full day's work of twelve hours for which he had received a full day's pay, and in refusing to permit the jury to consider such evidence in reduction or extinguishment of the plaintiff's apparent claim for overtime work done during the first year." It was also held to

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be competent to show by verbal evidence that defendant recognized plaintiff was working for it under the terms of the union contract.— *Keysaw* v. *Dotterweich Brewing Co.*, 121 *App. Div.* 58.

Validity of Rules as to Sick Benefits of Voluntary Association.

A decision of interest to trade unions or benevolent societies maintaining sickness or funeral benefits was handed down by the Supreme Court at the Appellate Term in June, 1907. A member of a voluntary benevolent association sued to recover benefits which were withheld by virtue of an amendment to the by-laws of the association. This amendment plaintiff held to be unreasonable and therefore void and sought to have the courts set it aside. The findings of the court, as summarized by the official reporter, follow:

"The constitution and by-laws of a purely voluntary association which provides for the payment of sick and funeral benefits to its members, constitute the contract between them; and, if not illegal, immoral or contrary to public policy, they must be upheld, whether reasonable or not.

"An amendment to the by-laws of such an association, adopted at a stated meeting at which many of the members were present and by many more votes than were required to make it valid, will be presumed to have been regularly proposed by a member in good standing as required by the by-laws.

"Where such an association has the power to amend its by-laws the right of a member to sick benefits is subject to change or modification as to the conditions upon which they shall be paid.— *Maxwell* v. *Theatrical Mechanical Assn.*, 54 *Misc.* 619.

Employers' Liability.

LIABILITY ACT OF 1902.

I. An ironworker employed by the Lackawanna Steel Co., while at work was injured by falling through a defective flooring. This defect was caused by a couple of boards being removed from the flooring which act was performed by a workman under the direction of defendant's foreman and by particular direction of the foreman the boards were not replaced. Suit was brought and

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damages amounting to $5,500 recovered. On appeal the Fourth Appellate Department affirmed the award, holding that a foreman in a steel mill, having authority over from ten to fifty men and authorized by the master to superintend, carry on and direct their work, is exercising superintendence within the meaning of the Employers' Liability Act. When such foreman, overseeing the construction of a steel floor, orders a workman to remove planking from an opening therein and not to replace the plank, through which opening the plaintiff fell, it is an act of superintendence within the Employers' Liability Act, for which the master is responsible. The master is not absolved from liability because the foreman disobeyed instructions in leaving the hole uncovered, if it were within the scope of his authority to direct the removal of the planks. An employee engaged in the construction of said floor who during the night when the place is dimly lighted leaves his work to cross the floor in search of a tool and falls into the opening temporarily uncovered, is not guilty of contributory negligence if he did not know that the opening was uncovered and there was nothing to put him upon his guard.— *Heffron* v. *Lackawanna Steel Co.*, 121 *App. Div.* 35.

II. In interpreting the common law rule requiring an employer to furnish a safe place to work, the New York Courts have raised a distinction between places already prepared and those in process of construction. For instance, in the case of Citrone *v.* O'Rourke Engineering Co. [BULLETIN 1907 p. 188], a laborer constructing a trench cannot recover for injury as the danger was due to the manner in which the trench was constructed. But under the Employers' Liability Act there may be negligence in such cases due to the negligence of foremen or superintendents to exercise due care in conducting the work. The present case involved the latter question, and the First Appellate Department unanimously reversed a verdict for $10,000 damages where an employee, who, while engaged in shoring up the roof of a tunnel and removing columns which were to be moved forward as the work progressed and replaced by timbers, was killed by the falling of the roof, but the evidence showed that the foreman had examined the tunnel before the removal of the columns and believed it to be safe and had con-

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sulted plaintiff's intestate on that question who believed it to be safe. So long as the foreman under such circumstances honestly believed it to be safe negligence could not be charged.— *Bertolami* v. *United Engineering and Contracting Co.*, 120 *App. Div.* 192.

III. Appeal from a verdict for $5,000 damages resulted in a decision in the First Appellate Department thus summarized by the reporter:

"The plaintiff engaged in holding a hand drill while it was being struck by a fellow-servant was injured in the eye by a splinter flying from the upper end of the drill which was burred or 'mushroomed' by use. The plaintiff was used to the employment, and had selected the drill, which was made of proper materials and purchased from reputable manufacturers. The plaintiff's fellow-servant had been directed by the defendant's foreman to work faster, and in doing so struck a glancing blow on the drill causing the splinter to fly off.

"A verdict for the plaintiff based on a finding that he did not assume the risk of using the drill was against the weight of evidence;

"Although in an action under the Employers' Liability Act the assumption of risk is a question for the jury, still their verdict may be set aside if against the weight of evidence;

"The fact that the head of the drill was burred did not make it a defective tool, it being shown that the head of such drill must necessarily be made soft, or it would splinter when struck;

"It was not negligence on the part of the foreman to direct the plaintiff and his fellow-workmen to hurry their work."— *Kellogg* v. *New York Edison Co.*, 120 *App. Div.* 410.

IV. This case involved the question of what constitutes "superintendence" where a person is employed to work with his hands as well as to exercise superintendence, it being necessary in such cases, according to the courts, to draw the line somewhere between what are acts of superintendence and what are acts of manual labor, the master being liable only for the negligence of the superintendent for such acts as are of superintendence.

A coal wagon driver recovered damages for injuries received while in defendant's employ. The second Appellate Department, however, reversed judgment. It was held, first, that although

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plaintiff served notice of time, place and cause of the action before the expiration of the 120 days required by the statute, he was not entitled to the benefits of the statute since the service of the notice did not precede the service of a summons and complaint in the action. Secondly, the injuries were received by the tail board of the coal wagon being slammed down on plaintiff's hand. Although this action was done by one performing at times the duties of superintendent, this particular action was held by the Appellate Department to be the action of a fellow servant and, therefore, defendant was not liable.— *Hope* v. *Scranton & Lehigh Coal Co.*, 120 *App. Div.* 595.

V. The plaintiff while working for the defendant in a subway in the city of New York and while engaged in company with fellow-servants in raising the roof of the subway with hydraulic jacks was injured by a fall of material. The following letter was sent to the employer by plaintiff's attorneys:

"GENTLEMEN.— Take notice that on the 22nd day of July, 1903, Joseph Ortolano, while in your employ, sustained severe injuries to his person, including a severe cut on the left hand, while working at or near the corner of 42nd street and Madison avenue, New York City, Borough of Manhattan, which he claims resulted from your negligence in not providing a proper and suitable place for him to work."

This was held to be insufficient notice that an action was to be based on the Employers' Liability Act inasmuch as no mention is made of that statute and that the cause of the injury is insufficiently alleged.

A judgment of $900 granted by the City Court of the City of New York and affirmed by the Appellate Term of the Supreme Court was reversed by the First Appellate Department, it being held that the evidence failed to bring the case within the Employers' Liability Act or to make out a case of negligence at common law.— *Ortolano* v. *Degnon Contracting Co.*, 120 *App. Div.* 59.

VI. Plaintiff, a machinist, appealed from a non-suit in a damage case growing out of injuries received by him in defendant's shop and the Supreme Court at the Onondaga Trial Term in August, 1907, reversed the non-suit and granted a new trial. The reporter's headnote follows:

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"Where plaintiff and six other employees of defendant, a domestic manufacturing corporation operating a foundry, while engaged in lowering by hand a heavy casting known as a flask, about five and one-half feet long, four and one-half feet wide and eight inches thick, from a position where it rested on one of its eight inch sides to a position where it would lie flat, under the direction of the boss or foreman of the machine shop who superintended the work of the men employed therein, objected to performing the work and stated that it should be lowered in the customary and proper way by the use of a crane, but, the crane being temporarily in use, the foreman directed them to lower the flask by hand, and the flask, in falling, because too heavy for the men to hold, crushed one of plaintiff's legs and the plaintiff brought this action under the Employers' Liability Act (L. 1902, ch. 600) for his injuries, the question whether plaintiff's injuries were due to the negligence of the foreman in the performance of an act of superintendence should be submitted to the jury, as, since the adoption of said act, superintendence has been added to the category of the master's duties."— *Ozogar* v. *Pierce, Butler and Pierce Mfg. Co.*, 55 *Misc.* 579.

Illegal Employment of Children—Liability for Negligence.

The question of whether the employment of a child between fourteen and sixteen years of age without an employment certificate is evidence of negligence on the part of the employer in case of injury to the child came before the Fourth Appellate Department in May, 1907, and by vote of three to two was decided in the affirmative. At the trial the court refused to permit the jury to consider the absence of the employment certificate as bearing upon the negligence of the employer. This the Appellate Division holds was error, the pertinent portion of the decision being as follows:

"But we think it was also competent for the jury to take into consideration, as bearing upon the question of defendant's negligence, the fact that the plaintiff was employed by it without having obtained and filed an employment certificate as required by the statute. (*Sitts* v. *Waiontha Knitting Co., Ltd.*, 94 *App. Div.* 38; *Dragotto* v. *Plunkett,* 113 *id.* 648.)

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"In the case of *Marino* v. *Lehmaier* (173 N. Y. 530) it was held that where a child under the age of fourteen years is employed in a factory, in case of injury to such child the bare fact of such employment is in and of itself some evidence of negligence on the part of the employer, because such employment was in violation of the statute. So in the case at bar, the employment of a child between the ages of fourteen and sixteen years without having obtained and filed with the employer an employment certificate, is equally in violation of law, and we can discover no distinction between the two cases. We think it was permissible for the jury to have taken into consideration, as bearing upon the defendant's negligence, the fact that the plaintiff was employed by the defendant when she had not obtained and filed the certificate required by the statute.

"We conclude that for this error the judgment and order appealed from should be reversed and a new trial granted, with costs to the appellant to abide event."—*Kenyon* v. *Sanford Manufacturing Co.*, 119 *App. Div.* 570.

Section 18 of the Labor Law.

Section 18 of the Labor Law, better known as the "life and limb" law, provides that an employer shall not furnish to his employees scaffolding, hoists, stays, ladders, or mechanical contrivances which are unsafe, unsuitable or improper. Three concrete workers while standing on a box furnished by defendant, were injured by the breaking of the box which, it was alleged, was defective. The Municipal Court of the City of New York rendered judgment in favor of plaintiffs and the Supreme Court at the Appellate Term in June, 1907, affirmed the award, holding that while plaintiffs had no cause of action under the common law, section 18 of the Labor Law was broad enough to cover the case and the box was a "mechanical contrivance" within the meaning of the statute.—*Michael* v. *Standard Concrete Steel Co.*, 55 *Misc.* 255.

Cases Under the Common Law of Negligence.

I. Following the rule laid down by the Court of Appeals in the case of Rice *v.* Eureka Paper Co. [BULLETIN, 1903, p. 186]

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that where a master makes a promise to repair defective machinery, he, and not the servant assumes the risk between the time of the promise and the time for its fulfillment and for a reasonable length of time afterward, the Second Appellate Department unanimously affirmed an award of $3,000 damages granted for injuries received by plaintiff while in defendant's employ.

Plaintiff was engaged in operating a buzz saw. He complained to defendant's principal foreman that it "wobbled" and on foreman's promise to repair the defect returned to work but before any repairs were made plaintiff received the injuries complained of. On the trial defendant alleged contributory negligence but the Appellate Department ruled that the contributory negligence was not a matter of law but was a question of fact for the jury.— *Reich* v. *Iron Clad Manufacturing Co.*, 120 *App. Div.* 445.

II. The Fourth Appellate Department unanimously affirmed a non-suit in a case summarized by the reporter thus:

"A blow-off cock of a locomotive situated below the boiler and worked by lever and rod extending up to the running board, from which place it is necessary to operate it to blow sediment from the boiler, is not a defective appliance although not closed by a plug or cap. With such a plug it would be necessary to go under the engine to operate the cock.

"An employee who has worked for two years in a locomotive plant will be assumed to have acquired knowledge of locomotives and that steam will escape from a locomotive boiler if the blow-off cock is opened, and when such employee has been killed by steam escaping from such stopcock, which was opened in a manner unexplained, the question of the master's negligence in failing to instruct as to this danger should not be submitted to the jury.

"When under the evidence the only explanation of the accident is that the employee himself accidently opened the stopcock while working in close proximity to it, a recovery cannot be based upon the failure of the master to promulgate rules prohibiting the opening of the stopcock without ascertaining that no one is at work under the engine. Such rule would not have prevented the em-

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ployee himself from accidentally moving the lever."—*Kelly* v. *American Locomotive Co.*, 121 *App. Div.* 81.

III. In reversing a judgment for plaintiff of $2,250 the Second Appellate Department ruled unanimously that one employed in a sugar refinery to give signals at night, who, during a time when the electric lights are temporarily extinguished, attempts to cross a room where he knows that vats containing revolving rollers are in operation, assumes the risk of falling into the vat, and cannot recover for injuries so received.—*Krug* v. *American Sugar Refining Co.*, 120 *App. Div.* 537.

IV. Reversing a judgment for $5,000 damages the First Appellate Division held, as summarized by the reporter that "One employed on a subway railroad who does not avail himself of a safe method of crossing the track provided by the master, but jumps upon the track in front of an approaching train which he could have seen had he looked, is guilty of contributory negligence.

"The negligence of the master cannot be predicated upon its failure to furnish the employee with a lamp so that he could be seen by the motorman, when the evidence shows that he was in fact seen by the motorman. Under such circumstances a lantern would not have prevented the accident." —*Kupec* v. *Interborough Rapid Transit Co.*, 120 *App. Div.* 166.

V. While being lowered into a mine an employee received fatal injuries from the parting of the cable and dropping of the bucket, for which a jury awarded $4,500 damages. This award was set aside by the Fourth Appellate Division in January, 1904, on the ground that the verdict was contrary to the evidence. A retrial before a jury in January, 1906, resulted in the same verdict which, in this case, was upheld by the Appellate Division in May, 1907. "The law of the case," says the prevailing opinion, one justice dissenting, "as held by this court upon the first appeal, and as the jury were instructed upon the last trial, was that the plaintiff, in order to charge the defendant with negligence, causing the death, must prove * * * * not only that the cable broke, but that it was the result of defects in the cable itself, causing it to separate, and not the result of a blow from the billy upon a reasonably sound cable," the billy being a heavy construction above the bucket that ran down the shaft on guides

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fastened on opposite sides thereof. This issue the Appellate Department found had not been met by the plaintiff on the first trial, but had met it on the second.— *Owen* v. *Retsof Mining Co.*, 119 *App. Div.* 618.

VI. A judgment for plaintiff on a verdict of $1,500 damages was unanimously reversed in the First Appellate Department. The reporter summarizes the case thus:

"The plaintiff, in the employ of one contracting for the iron work of a building, was injured by the servant of a contractor erecting the brick work, who dumped a hod of bricks upon a scaffold in such a manner that a brick fell off and hit the plaintiff, who was engaged in selecting some iron beams beneath. Neither the plaintiff nor others habitually worked under the scaffold, though it appeared that he called out to the masons to stop work while he was there. There was no proof that the hodcarrier heard the call or knew that the plaintiff was at work under the scaffold.

"*Held,* that the plaintiff was not entitled to recover, where he failed to prove knowledge on the part of the contractor or such a situation as to show that he ought to have had knowledge that some one was or was likely to be underneath the scaffold and liable to be injured by falling brick;

"That it was error to charge that the jury could predicate negligence upon the failure of the defendant to use planks of equal length in constructing the scaffold, as there was no obligation to construct this scaffolding so that material could not fall off or through it unless men were customarily at work beneath or likely to pass under it."— *Choyce* v. *Hopper & Son,* 120 *App. Div.* 177.

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RECENT LABOR REPORTS.

UNITED STATES.

Twenty-first annual report of the Commissioner of Labor, 1906: Strikes and lockouts. Chas. P. Neill, commissioner, Washington, 1907, 979 pages.

Contents: Chapter I, Introduction and discussion (of labor disputes in period 1881–1905), pages 9–104; II, Explanation of tables, pages 105–118; III, General tables I–XX, pages 119–773; IV, Strikes and lockouts in foreign countries, pages 775–916; V, The law relating to strikes, blacklisting, boycotting, etc., pages 917–960. The body of the report is devoted to the period 1901–5, to which are added summarized data for the years 1881–1900 covered in previous reports.

ILLINOIS.

Twenty-fifth annual coal report of the Illinois Bureau of Labor Statistics, 1906; also the eight annual report of the Illinois free employment offices, for the year ended September 30, 1906. David Ross, secretary, Springfield, 1907, pages xxii, 418+87.

MASSACHUSETTS.

Thirty-seventh annual report of the Bureau of Statistics of Labor (1906). Chas. F. Pidgin, chief, Boston, January, 1907, pages xxx, 664.

Contents: Introduction, Annual report of the chief on the operations of the Bureau, 30 pages; Part I, the apprenticeship system, pages 1–86; II, Trained and supplemental employees for domestic service, pages 87–124; III, The incorporation of trade unions, pages 125–244; IV, Statistics of manufactures, 1904 and 1905, pages 245–328; V, Labor Laws of Massachusetts, pages 329–388; VI, Labor and industrial chronology, pages 389–644; index, pp. 645–664.

Labor Bulletin issued by the Bureau of Statistics of Labor, edited by Charles F. Gettemy, chief of bureau, Nos. 51, 52, and 53 (September, October and November, 1907).

Contents of No. 51: Editorial review [of current affairs, state, national and international, of interest to labor]; George E. McNeill, a memorial; standard length of cotton print cloth cuts; trade union directory [the sixth directory published by the Bureau, containing the name, location, and name and address of the secretary of 1,467 unions in Massachusetts].

Contents of No. 52: Editorial review; social statistics — acute diseases; workmen's compensation acts; the industrial world [labor news of all lands extracted from publications of other bureaus].

Contents of No. 53: Editorial review; social statistics No. 3 — chronic diseases; shipbuilding in Massachusetts; recent court decisions affecting labor; Massachusetts monthly statistical reports (immigration at the Port of Boston, railway accidents in Massachusetts, receipts of milk at Boston, returns of free employment offices in Massachusetts); the industrial world.

PENNSYLVANIA.

Thirty-fourth annual report of the Bureau of Industrial Statistics, 1906 (being Part III of the annual report of the Secretary of Internal Affairs). John L. Rockey, chief of bureau. Harrisburg, 1907, 287 pages (cloth).

Contains more or less fully for each of 71 different industries separately, statistics of manufactures (number of establishments, capital invested,

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product, wages paid, employees, days in operation, and yearly and daily earnings), a "labor supplement" (a statistical summary of employees, their number, nationality, number owning their own homes, average rent per annum, average number of working hours per week and number affected by strike or lockout), dates and causes of strikes and lockouts, causes of idleness of plants, comments on trade conditions, and number of accidents. The statistics of manufactures are recapitulated by industries on pages 266 to 269. Pages 270 to 273 give by industries the numbers employed, aggregate, average yearly and average daily wages for males, females and minors separately.

VIRGINIA.

Tenth annual report of the Bureau of Labor and Industrial Statistics for the State of Virginia, 1907. James B. Doherty, commissioner. Richmond, 1907, 329 pages.

Contains statistics of manufactures and wages (pages 7–232), report of the special agent on inspection of factories and investigations touching child labor (pages 233–7), recommendations and reports of labor organizations as to needed legislation and wages and hours (pages 238–240), remarks on conciliation and arbitration (pages 241–3), and a compilation of United States laws relating to employment of children, mainly a reprint of the compilation in Bulletin No. 62 of the United States Bureau of Labor (pages 244–329).

FOREIGN COUNTRIES.

AUSTRALIA.

The industrial arbitration reports and records, New South Wales (published under the direction of the honorable, the attorney-general). Vol. VI (1907), part 2. Sydney, 1907.

Sixth annual return and report of proceedings under the Industrial Conciliation and Arbitration Act, 1902, by the registrar of friendly societies. Report for the year ended 31st December, 1906. Perth (Western Australia), 1907, 29 pages (paper).

Summarizes the work accomplished under the compulsory arbitration law of Western Australia in 1906 and during the six years, 1901–6, since the law went into effect. Does not contain particulars of proceedings or awards in the arbitration court, these being published separately in annual Reports of Proceedings of the Court of Arbitration.

AUSTRIA.

Lead poisoning. (Bleivergiftungen in hüttenmännischen und gewerblichen Betrieben. Ursachen und Bekämpfung. VI. Teil. Protokoll uber die Expertise, betreffend die Farbenfabriken und die Betriebe mit Anstreicher-, Lackierer- und Malerarbeiten.). Austrian bureau of labor statistics, Vienna, 1907. xii+55 pages, (quarto).

This is No. 6 of the series of publications on lead poisoning issued by the Austrian bureau of labor, and contains answers of experts to questions concerning the manufacturing of lead containing colors, the execution of painting and varnishing work, workmen's clothing and baths, medical service for working people, etc.

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BELGIUM.

Conseil supérieur du travail, huitième session, 1906–7, fascicule II: Repos du dimanche. Bruxelles, 1907, pages 235 (paper, quarto).

This report of the Higher Council of Labor is concerned with the question of Sunday rest, with particular reference to the requests for exemption from the law of 17 July, 1905.

Ammaire de la legislation du travail; publié par l'Office du Travail de Belgique; Tables décennales des volumes I a X (1897–1906). Bruxelles, 1907, 164 pages (paper covers).

An index to the first ten volumes of the year book of labor laws published by the Belgian bureau of labor. In addition to the analytical index there is a geographical index, in which the references to the statutes of each country are arranged in chronological order.

Rapport relatif a l'exécution de la loi du 31 Mars 1898 sur les unions professionnelles pendant les années 1902–1904. Office du Travail, Bruxelles, 1907, pages civ, 368 (unbound).

A relatively small number of trade unions, mostly agricultural, are registered under the law of 1898 to which this report is devoted in continuation of the plan followed in an earlier report which covered the years 1898 to 1901.

GERMANY.

Erhebung ueber die Arbeitszeit im Binnenschiffahrtsgewerbe. Drucksachen des Kaiserlichen Statistischen Amts, Abteilung für Arbeiterstatistik, Erhebungen Nr. 7. Berlin, 1907. 87 pages.

Inquiry concerning the hours of labor of inland marine navigation employees. The report covers the questions of duration of navigation of steam and sail boats, night and Sunday work, hours of labor during travel and while loading and unloading. A limited number of cases are reported where actual continuous work is performed for more than 24 consecutive hours, and this happens oftener with sailing vessels than with steamers.

Erhebung ueber die Arbeitszeit der in Plattanstalten und in nicht als Fabriken oder Werkstatten mit Motorbetrieb anzusehenden Waschanstalten beschäftigten Personen. Drucksachen des Kaiserlichen Statistischen Amtes, Abteilung für Arbeiterstatistik, Erhebungen Nr. 4, Berlin, 1907, 88*+256 pp.

Inquiry by the Division of Labor Statistics concerning the hours of work that prevail in hand-laundries. The report is based on returns from employers and from employees. Of each hundred persons working for six days of the week in which the inquiry was made (Oct., 1905), of those employed in ironing, or in ironing and washing, 43.6 worked from 48 to 60 hours; 36.7 worked from 60–66 hours; 12.5 worked from 66–72 hours, excluding time for meals or rest; of each hundred employed in washing alone, 41.4 worked from 48 to 60; 41.8 worked from 60–66; 13.2 worked from 66–72, excluding time for meals or rest. The number of employees varies greatly from one season to another, being largely reduced in winter, while a certain proportion of employees work part of the day or part of the week only.

Erhebung über die Arbeitszeit der Gehilfen und Lehrlinge im Fleischergewerbe. Zweiter Teil. Drucksachen des Kaiserlichen Statistischen Amtes, Abteilung für Arbeiterstatistik, Erhebungen Nr. 5, Berlin, 1907, 103 pages.

Second part of the report on hours of labor of apprentices and employees in the meat trade (the first part was published in 1903). The report is based

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on returns from employers' associations and employees' unions. To the query whether the prevailing working time is so long as to work injury to the health, morals or family life of employees, the employers' associations almost uniformly answered no, and the employees' unions yes. Sick benefit returns from 42 unions show an average of 5.27 days of sickness per male member in 1903, and 32.5 cases of sickness for each hundred members.

GREAT BRITAIN.

Report on changes in rates of wages and hours of labor in the United Kingdom in 1906, with comparative statistics for 1897–1905. Board of Trade (Labor Department), London, 1907 (cd. 3713) 181 pages.

The fourteenth in the series of annual reports on the same subject. "The upward tendency in wages which commenced in the second half of 1905 continued throughout 1906, showing, for the first time since 1900, a total net increase in wages as compared with the preceding year." The considerable net increase for 1906 was due principally to advances in the coal mining industry, but there were net advances in all of the principal groups of trades except building and quarrying. The report notes that for the first six months of 1907 wages have shown a greatly accelerated upward movement and that net increases had been reported in all groups of trades. Changes in hours of work in 1906 showed the largest net reduction since 1902.

Preliminary tables (subject to correction) of the administration by local authorities in 1906 of the homework provisions of the Factory and Workshop Act, 1901, based on reports received on or before 1st October, 1907. Factory Department, Home Office.

Shows by industries and localities the number of lists (16,390) received from employers who give out work to be done outside of their factories or shops, the number of inspections of outworkers' premises made (76,519), number of prosecutions for failure to keep or file lists (171), cases of outwork found in unwholesome premises (1,201 in connection with which 816 notices to send no more work to such places were issued and 3 prosecutions for violations of such notice occurred), cases of infectious diseases found in outworkers' premises (1,952 in conection with which 334 orders to send no work to such places were issued), and the total number of outworkers reported on lists received (101,945).

Report on strikes and lockouts and on conciliation and arbitration boards in the United Kingdom in 1906. Board of Trade (Labor Department), London, 1907 (cd. 3711), 152 pages.

The nineteenth annual report in the series begun in 1888. "The year 1906 was not so free from industrial disturbance as other recent years." "The year was one of improving employment, and was accompanied, as is frequently the case, by an increase in the proportion of workpeople who struck work to obtain an increase in wages." "Disputes as to hours of labor affected more than twice the number reported in the previous year." "In the case of disputes arising out of questions of trade union principle, the figures for 1906 are the highest on record." The report contains comparative figures for the years 1902 to 5.

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Eleventh abstract of labor statistics of the United Kingdom, 1905–1906. Board of Trade (Labor Department). London, 1907, pages xvii+256 (paper).

According to the introductory note the tables in this report "summarize the latest available information which has been collected by the Labor Department of the Board of Trade, or which is embodied in various official publications by other Departments, on the principal matters relating to the condition of the working classes. The statistics relate to the following among other subjects: Wages and Hours of Labour; Fluctuations in Employment; Strikes and Lock-outs; Work of Conciliation and Arbitration Boards; Employers' Associations, Workmen's Trade Unions and Co-operative Societies; Prices of Raw Materials and of Articles of Food. Other Tables deal with Production and Consumption; Profit-sharing; Diseases of Occupations and Industrial Accidents; Friendly Societies, Building Societies and Savings Banks; Population and Vital Statistics; Housing; Occupations of the Industrial Population; Pauperism; Labour Bureaux; and other subjects. The following Tables appear in this Abstract for the first time: Index Numbers of Employment, 1860–1906; Production of Beer, 1892–1906; Production of Spirits, 1892–1906; Number and Value of Inhabited Houses, 1891–1905; Consumption of Coal, Iron, Cotton, etc., in the United Kingdom, 1892–1906; Consumption of Coffee, Tea, Sugar, Tobacco, Beer, etc., 1892–1906; General Course of Wages, 1874–1906; Retail Prices of Food in London, 1892–1906; Retail Prices of Bread in London, etc., 1892–1906; Cost, etc., of Food in Urban Working Class Families, 1904; Proportion of Persons employed in certain occupations, 1891 and 1901."

ITALY.

Statistica degli scioperi avvenuti in Italia nell'anno 1904. Ufficio del Lavoro, Series B, No. 16. Roma, 1907, 317 pp. (paper).

A statistical account of strikes in Italy in the year 1904. Of 630 industrial disputes involving 118,356 workmen, 141 terminated entirely in favor of workmen, 220 entirely in favor of employers, the rest were compromised. Of 208 agricultural strikes involving 94,756 agricultural laborers, 62 strikes with 25,757 men were completely successful, 66 strikes with 32,695 workers failed completely and the rest were compromised.

NETHERLANDS.

Werkstakingen en uitsluitingen in Nederland gedurende 1906. Bijdragen tot de Statistiek van Nederland, nieuwe volgreeks LXXXV, uitgegeven door het Centraal Bureau voor de Statistiek. s'Gravenhage, 1907, pages LXXV+110 (paper).

This is the sixth in the series of annual reports on strikes and lockouts published by the Central Bureau of Statistics of The Netherlands beginning with the year 1901.

NEW ZEALAND.

Sixteenth annual report of the Department of Labor (for year ended March 31, 1907). Edward Tregear, secretary, Wellington, 1907, pages xl, 102 quarto (paper covered).

The report covers somewhat broader ground than most American reports, as it includes the subjects of compulsory arbitration, registration of industrial unions, assistance of the unemployed, factory inspection, mercantile inspection (hours of work in shops and offices), etc. Since the arbitration

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law went into effect ten years ago the number of employees of factories has increased from 32,387 to 75,310, the gain in the past year having been 4,907. The three principal industries are saw-milling and wood-working, tailoring, and dress-making. The number of employers' unions registered under the arbitration act was 109, of workmen's unions 274, with an aggregate membership of 34,978,—an increase of 5,000 in the past year.

NORWAY.

Arbeidskonflikter i Norge 1903–6; Saertryk af "Arbeidsmarkedet" udgivet af det Statistiske Centralbureau, 1906, Nr. 10–12. Kristiania, 1907, pages 20 (paper).

This brief report on labor disputes in 1903–6 contains a résumé in the French language and French translations are given in many of the captions and headings of columns in tables.

Arbeidsledigheds-Taellinger 1905 og 1906. Udgivet af det Statistiske Centralbureau, Kristiania, 1907, pages 32, 24 (paper covered).

The sixth number in the Norwegian bureau's series on social statistics contains results of the enumeration of the unemployed taken in certain cities of Norway in 1905 or 1906. The fifth number, also issued this year, is a report on illegitimate and abandoned children.

Socialstatistik VII. Arbeids—og Lonningsforhol ved sagbrug og hovlerier. Central statistical bureau, Christiania, 1907, 63 pp. text + 96 pp. tables (paper).

Contains the results of a government investigation into conditions of workmen in saw and planing mills. It covers the subject of wages, hours of labor, methods of payment of wages, employment and unemployment, accidents, and changes in the rate of wages. The average daily wage of saw and planing mill workers in Norway has risen since 1892 from 10 to 25 per cent according to branches of work.

SPAIN.

Bibliografía de revistas. Artículos sobre cuestiones sociales publicados en 1906. Año I. Instituto de Reformas Sociales, Madrid, 1907, pages xii+85.

The first number (1906) of an annual bibliography of articles on economic and social questions in Spanish and foreign periodicals, principally government bulletins and economic and sociological journals, received by the library of the Spanish Bureau of Social Reforms, which corresponds to the American Bureaus of Labor Statistics. The list of periodicals covered includes over sixty for Spain. The list for this country includes the bulletins of the United States, Massachusetts and New York Bureaus of Labor, the American Journal of Sociology, Annals of the American Academy of Political and Social Sciences, Quarterly Journal of Economics and Cosmopolitan Magazine.

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APPENDIX.

STATISTICAL TABLES.

I. Employment and earnings of organized wage workers in third quarter (July, August and September), 1907: (a) Males. (b) Females.

II. Causes of idleness among organized wage workers at the end of September, 1907.

III. Number and membership of labor organizations in the state and in the principal cities, September 30, 1907.

IV. Statistics of building operations in the principal cities (July to September, 1907):
(a) New York City.
(b) Buffalo, Rochester, Syracuse and Troy.

V. Immigration at the port of New York in the third quarter of 1907.

VI. Record of the Deputy Factory Inspectors, third quarter, 1907.

VII. Children's employment certificates issued by health authorities in first and second class cities (third quarter, 1907).

VIII. Licenses issued for manufacturing in tenements (July to September, 1907).

IX. Accidents reported in factories, mines and tunnels (third quarter, 1907):
(a) Age and sex of persons injured.
(b) Causes and results of accidents.

X Idleness among organized wage workers in representative unions in New York City at the end of December:
(a) 1907.
(b) 1906.

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TABLE I.—EMPLOYMENT AND EARNINGS OF ORGANIZED WAGE WORKERS IN

INDUSTRIES OR GROUPS OF TRADES.	Number of wage earners reporting.	THEREOF IDLE.		NUMBER EMPLOYED.			
		Number.	Per cent.	Aggregate.	1–29 days.	30–59 days.	60–79 days.
1. Building, Stone Working, Etc	**146,562**	**4,537**	**3.1**	**130,238**	**1,486**	**22,971**	**104,498**
Stone working	8,323	456	5.5	7,835	19	1,581	6,235
Building and paving trades	98,055	3,771	3.8	93,895	1,337	19,607	71,724
Building and street labor	40,184	310	0.8	28,508	130	1,783	26,539
2. Transportation	**69,625**	**1,048**	**1.5**	**65,413**	**50**	**1,805**	**22,604**
Railways	26,184	237	0.9	25,832	3	400	4,390
Navigation	14,727	167	1.1	14,350	.....	90	482
Teaming and cab driving	16,774	549	3.3	16,171	.....	424	11,787
Freight handling	7,500	95	1.3	7,380	47	762	5,693
Telegraphs	4,440	.....	0.0	1,680	.....	129	252
3. Clothing and Textiles	**38,076**	**132**	**0.3**	**37,554**	**627**	**5,048**	**31,825**
Garments	24,121	38	0.2	24,083	66	3,839	20,127
Shirts, collars and laundry	1,311	4	0.3	1,307	515	325	467
Hats, caps and furs	6,664	47	0.7	6,613	.....	341	6,269
Boots, shoes and gloves	3,049	26	0.9	3,017	36	205	2,776
Textiles	2,931	17	0.6	2,534	10	338	2,186
4. Metals, Machinery and Shipbuilding	**37,715**	**521**	**1.4**	**36,990**	**168**	**2,936**	**32,748**
Iron and steel	31,423	456	1.5	30,848	90	2,112	27,710
Other metals	4,261	20	0.5	4,230	23	309	3,816
Shipbuilding	2,031	45	2.2	1,912	55	515	1,222
5. Printing, Binding, Etc	**24,523**	**1,138**	**4.6**	**23,320**	**97**	**6,199**	**14,893**
6. Wood Working and Furniture	**11,371**	**621**	**5.5**	**10,402**	**146**	**2,519**	**7,710**
7. Food and Liquors	**14,346**	**359**	**2.5**	**13,941**	**142**	**281**	**12,787**
Food products	6,917	165	2.4	6,749	120	225	6,227
Beverages	7,429	194	2.6	7,192	22	56	6,560
8. Theaters and Music	**11,718**	**1,203**	**1.0**	**6,856**	**149**	**736**	**5,562**
9. Tobacco	**9,262**	**172**	**1.9**	**9,023**	**30**	**338**	**8,655**
10. Restaurants and Retail Trade	**8,229**	**79**	**1.0**	**8,035**	**6**	**232**	**5,647**
Hotels and restaurants	6,042	76	1.3	5,937	4	201	3,673
Retail trade	2,187	3	0.1	2,098	2	31	1,974
11. Public Employment	**10,554**	**110**	**1.0**	**10,308**	**1**	**701**	**1,601**
12. Stationary Engine Men	**13,904**	**123**	**0.9**	**13,769**	**122**	**135**	**5,396**
13. Miscellaneous	**13,128**	**288**	**2.2**	**12,672**	**869**	**781**	**8,732**
Paper and paper goods	3,308	.....	0.0	3,278	200	68	2,657
Barbering	3,414	5	0.1	3,408	.....	41	2,190
Leather and leather goods	1,323	6	4.5	1,317	.....	.....	1,317
Glass and glassware	1,213	115	9.5	1,097	597	38	462
Cement and clay products	451	.....	0.0	451	67	10	374
Other distinct trades	2,598	161	6.2	2,341	5	20	1,578
Mixed employment	821	1	0.1	780	.....	604	154
Grand Total	**409,013**	**10,331**	**2.5**	**378,521**	**3,893**	**44,682**	**262,658**

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THIRD QUARTER (JULY, AUGUST, SEPTEMBER) OF 1907: (a) MALES.

	DAYS EMPLOYED.		AGGREGATE EARNINGS.	AVERAGE EARNINGS.		NUMBER WHO EARNED—			
80 days or more.	Aggregate.	Per capita.		Per day.	For three months.	Less than $75.	$75 to $149.	$150 to $224.	$225 or more.
1,283	8,571,310	65.8	$31,820,672 71	$3 71	$244 33	392	12,876	42,316	74,654
.....	511,800	65.3	1,995,354 40	3 90	254 67	7	783	1,819	5,226
1,227	6,146,867	65.5	24,722,933 12	4 02	263 30	257	3,383	23,398	66,857
56	1,912,643	67.1	5,102,385 19	2 67	178 98	128	8,710	17,099	2,571
40,954	5,526,073	84.5	14,542,558 08	2 63	222 32	352	8,411	32,613	24,037
21,039	2,270,780	87.9	6,742,847 37	2 97	261 03	94	827	8,645	16,266
13,778	1,301,469	90.7	3,241,310 66	2 49	225 88	75	4,624	3,908	5,743
3,960	1,284,686	79.4	2,913,134 35	2 27	180 15	55	1,175	14,529	412
878	528,231	71.6	1,360,849 75	2 58	184 40	109	1,508	4,302	1,461
1,299	140,907	83.9	284,415 95	2 02	169 30	19	277	1,229	155
54	2,483,897	66.1	6,329,501 42	2 55	168 54	790	13,535	17,525	5,704
51	1,579,802	65.6	4,089,448 10	2 59	169 81	204	9,379	10,531	3,969
.....	65,064	49.8	127,959 74	1 97	97 90	515	582	151	59
3	440,112	66.6	1,117,024 72	2 54	168 91	.....	2,162	3,449	1,002
.....	219,106	72.6	549,038 46	2 51	181 98	54	486	2,270	207
.....	179,813	71.0	446,030 40	2 48	176 02	17	926	1,124	467
1,138	2,675,815	72.3	8,274,599 08	3 09	223 70	493	2,947	13,535	20,015
936	2,245,215	72.8	6,911,178 01	3 08	224 04	452	2,040	11,680	16,676
82	307,161	72.6	914,960 83	2 98	216 30	31	539	1,632	2,028
120	123,439	64.6	448,460 24	3 63	234 55	10	368	223	1,311
2,131	1,663,697	71.3	5,623,204 41	3 38	241 13	17	777	12,449	10,077
27	703,882	67.7	2,089,902 59	2 97	200 91	233	1,249	5,576	3,344
731	1,060,194	76.0	2,761,416 32	2 60	198 08	88	1,558	8,975	3,320
177	505,175	74.9	1,285,923 39	2 55	190 54	55	1,169	4,374	1,151
554	555,019	77.2	1,475,492 93	2 66	205 16	33	389	4,601	2,169
409	425,560	62.1	3,183,900 09	7 48	464 40	306	533	677	5,340
.....	676,504	75.0	1,426,883 85	2 11	158 14	70	2,864	5,063	1,026
2,150	647,461	80.6	1,535,172 34	2 37	191 06	18	1,305	5,093	1,619
2,059	485,118	81.7	1,127,120,21	2 32	189 85	15	882	3,960	1,080
91	162,343	77.4	408,052 13	2 51	194 50	3	423	1,133	539
8,005	866,734	84.1	2,404,770 21	2 77	233 29	1	850	2,729	6,728
8,116	1,171,097	85.1	3,584,266 97	3 06	260 31	28	516	3,545	9,680
2,290	921,729	72.7	2,129,733 77	2 31	168 07	709	5,641	4,238	2,084
353	236,663	72.2	473,775 02	2 00	144 53	222	2,112	577	367
1,177	281,253	82.5	519,821 92	1 85	152 53	1	1,408	1,973	26
.....	100,135	76.0	250,733 44	2 50	190 38	.....	236	762	319
.....	49,807	45.4	189,384 92	3 80	172 64	70	542	140	345
.....	28,297	62.7	112,501 17	3 98	249 45	10	98	118	225
738	189,210	80.8	518,732 35	2 74	221 59	5	933	605	798
22	36,364	46.6	64,784 95	1 78	83 06	401	312	63	4
67,288	27,393,953	72.4	$85,706,581 84	$3 13	$226 42	3,497	53,062	154,334	167,628

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TABLE I.—EMPLOYMENT AND EARNINGS OF ORGANIZED WAGE WORKERS IN

INDUSTRIES OR GROUPS OF TRADES.	Number of wage earners reporting.	THEREOF IDLE.		NUMBER EMPLOYED.			
		Number.	Per cent.	Aggregate.	1–29 days.	30–59 days.	60–79 days.
2. Transportation:							
Telegraphs	497	.....	0.0	72	.....	51	6
3. Clothing and Textiles	6,842	15	0.2	6,791	472	520	5,778
Garments	4,206	3	0.1	4,203	27	271	3,899
Shirts, collars and laundry	776	.....	0.0	776	445	195	136
Hats, caps and furs	1,251	6	0.5	1,245	.....	3	1,227
Boots, shoes and gloves	517	6	1.2	511	.....	.....	511
Textiles	92	.....	0.0	56	.....	51	5
4. Metals, Machinery and Shipbuilding:							
Iron and steel	249	.....	0.0	249	.....	17	232
5. Printing, Binding, Etc	1,470	78	5.3	1,390	14	77	1,299
6. Wood Working and Furniture	45	.....	0.0	45	.....	.....	45
8. Theaters and Music	1,222	1	0.1	1,181	46	.....	1,020
9. Tobacco	2,604	67	2.6	2,533	.....	32	2,501
10. Restaurants and Retail Trade	200	.....	0.0	199	.....	2	197
Hotels and restaurants	60	.....	0.0	60	.....	.....	60
Retail trade	140	.....	0.0	139	.....	2	137
11. Public Employment	62	.....	0.0	62	.....	.....	4
13. Miscellaneous	210	.....	0.0	198	.....	1	197
Paper and paper goods	198	.....	0.0	198	.....	1	197
Other distinct trades	12	.....	0.0	.....	.....	.....	.....
Grand Total	13,401	161	1.2	12,720	532	700	11,279

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THIRD QUARTER (JULY, AUGUST, SEPTEMBER) OF 1907: (b) FEMALES.

	Days Employed.		Aggregate Earnings.	Average Earnings.		Number Who Earned—			
80 days or more.	Aggregate.	Per capita.		Per day.	For three months.	Less than $75.	$75 to $149.	$150 to $224.	$225 or more.
15	4,096	56.9	$7,160 41	$1 75	$99 45	34	19	18	1
21	458,623	67.5	673,777 81	1 47	99 22	1,438	5,038	315	.....
6	299,067	71.1	401,648 64	1 34	95 56	903	3,163	137	.....
.....	31,607	40.7	51,939 75	1 64	66 93	455	311	10	.....
15	87,089	70.0	157,824 67	1 81	126 77	.....	1,229	16	.....
.....	38,307	75.0	58,360 75	1 52	114 21	38	326	147	.....
.....	2,553	45.6	4,004 00	1 57	71 50	42	9	5	.....
.....	17,292	69.4	29,479 15	1 70	118 39	22	187	40	.....
.....	96,103	69.1	153,771 04	1 60	110 63	210	1,054	76	50
.....	3,452	76.7	4,218 50	1 22	93 74	14	31	.....	.....
115	72,713	61.6	699,258 75	9 62	592 09	46	.....	6	1,129
.....	190,963	75.4	379,738 14	1 99	149 92	19	1,273	864	377
.....	15,469	77.7	15,747 67	1 02	79 13	72	123	4	.....
.....	4,560	76.0	3,066 80	67	51 11	60	.....	.....	.....
.....	10,909	78.5	12,680 87	1 16	91 23	12	123	4	.....
58	5,568	89.8	9,089 00	1 63	146 60	.....	40	14	8
.....	13,816	69.8	15,489 62	1 12	78 23	1	197	.....	.....
.....	13,816	69.8	15,489 62	1 12	78 23	1	197	.....	.....
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
209	878,095	69.0	$1,987,730 00	$2 26	$156 27	1,856	7,962	1,337	1,565

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TABLE II.—CAUSES OF IDLENESS AMONG ORGANIZED

INDUSTRIES OR GROUPS OF TRADES.	Number not reporting.	Number reporting.	Total number idle.
1. Building, Stone Working, Etc	**21,351**	**129,031**	**17,748**
Stone working	319	8,023	1,592
Building and paving trades	3,166	98,324	15,330
Building and street labor	17,866	22,684	826
2. Transportation	**2,187**	**70,584**	**4,670**
Railways	978	26,184	575
Navigation	212	14,727	264
Teaming and cab driving	967	17,236	1,308
Freight handling	30	7,500	1,101
Telegraphs	.....	4,937	1,422
3. Clothing and Textiles	**1,898**	**45,540**	**8,651**
Garments	1,283	28,679	3,472
Shirts, collars and laundry	.....	2,237	764
Hats, caps and furs	175	8,115	3,884
Boots, shoes and gloves	4	3,566	89
Textiles	436	2,943	442
4. Metals, Machinery and Shipbuilding	**114**	**37,960**	**3,053**
Iron and steel	108	31,668	2,546
Other metals	6	4,261	300
Shipbuilding	.....	2,031	207
5. Printing, Binding, Etc	**31**	**26,117**	**2,125**
6. Wood Working and Furniture	**63**	**12,097**	**1,185**
7. Food and Liquors	**11**	**14,346**	**959**
Food products	1	6,917	569
Beverages	10	7,429	390
8. Theaters and Music	**3,296**	**12,940**	**1,453**
9. Tobacco	**1,774**	**10,114**	**385**
10. Restaurants and Retail Trade	**107**	**8,429**	**346**
Hotels and restaurants	14	6,102	325
Retail trade	93	2,327	21
11. Public Employment	**95**	**10,616**	**1,065**
12. Stationary Engine Men	**572**	**14,002**	**297**
13. Miscellaneous	**479**	**13,338**	**721**
Paper and paper goods	168	3,506	255
Barbering	154	3,414	35
Leather and leather goods	.....	1,323	25
Glass and glassware	.....	1,213	118
Cement and clay products	.....	451	75
Other distinct trades	.....	2,610	210
Mixed employment	157	821	3
Grand Total	**31,978**	**405,114**	**42,658**

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WAGE WORKERS AT THE END OF SEPTEMBER, 1907.

Per cent idle.	Number Idle on Account of—						
	Lack of work.	Lack of stock.	The weather.	Labor disputes.	Disability.	Other reasons.	Reason not stated.
13.8	15,193	741	248	133	1,276	139	18
19.8	1,365	67	22	.....	138	.....	.....
15.6	13,335	674	226	126	814	139	16
3.6	493	.....	.....	7	324	.....	2
6.6	2,514	.....	.....	1,555	541	56	4
2.2	51	.....	.....	90	376	54	4
1.8	224	.....	.....	.....	38	2	.....
7.6	1,189	.....	.....	43	76	.....	.....
14.7	1,050	.....	.....	.....	51	.....	.....
28.8	.....	.....	.....	1,422	.....	.....	.....
19.0	3,440	925	.....	4,145	101	38	2
12.1	2,342	900	.....	193	36	1	.....
34.2	704	.....	.....	60	.....	.....	.....
47.9	217	10	.....	3,617	40	.....	.....
2.5	48	15	.....	.....	24	.....	2
15.0	129	.....	.....	275	1	37	.....
8.0	2,205	55	15	307	394	62	15
8.0	1,855	48	15	277	321	30	.....
7.0	223	2	.....	30	27	18	.....
10.2	127	5	.....	.....	46	14	15
8.1	1,350	.....	.....	251	493	.....	31
9.8	1,051	10	.....	.....	94	15	15
6.7	723	.....	135	7	89	5	.....
8.2	506	.....	.....	7	51	5	.....
5.2	217	.....	135	.....	38	.....	.....
11.2	1,258	.....	.....	182	13	.....	.....
3.8	139	.....	67	.....	172	7	.....
4.1	253	.....	.....	20	55	2	16
5.3	240	.....	.....	20	47	2	16
0.9	13	.....	.....	.....	8	.....	.....
10.0	800	.....	20	.....	140	.....	105
2.1	202	.....	.....	54	26	15	.....
5.4	273	21	84	262	50	4	27
7.3	21	20	.....	209	1	4	.....
1.0	17	.....	.....	.....	18	.....	.....
1.9	20	.....	.....	.....	5	.....	.....
9.7	2	.....	84	.....	5	.....	27
16.6	75	.....	.....	.....	.....	.....	.....
8.0	138	.....	.....	53	19	.....	.....
0.4	.....	1	.....	.....	2	.....	.....
10.5	29,401	1,752	569	6,916	3,444	343	233

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TABLE III.—NUMBER AND MEMBERSHIP OF LABOR ORGANIZATIONS

INDUSTRIES OR GROUPS OF TRADES.	New York State.				New York	
	Org.	Men.	Women.	Total numer of members.	Org.	Members.
1. Building, Stone Working, Etc	**751**	**150,382**	.....	**150,382**	**226**	**108,110**
Stone working	50	8,342	.....	8,342	15	6,474
Building and paving trades	636	101,490	.....	101,490	176	65,663
Building and street labor	65	40,550	.....	40,550	35	35,973
2. Transportation	**376**	**72,274**	**497**	**72,771**	**78**	**33,684**
Railways	227	27,162	.....	27,162	25	4,630
Navigation	27	14,939	.....	14,939	6	8,484
Teaming and cab driving	63	18,203	.....	18,203	28	14,507
Freight handling	41	7,530	.....	7,530	15	4,270
Telegraphs	18	4,440	497	4,937	4	1,793
3. Clothing and Textiles	**183**	**39,943**	**7,495**	**47,438**	**89**	**37,680**
Garments	92	25,572	4,390	29,962	49	25,365
Shirts, collars and laundry	13	1,311	926	2,237	5	1,830
Hats, caps and furs	27	6,789	1,501	8,290	22	7,865
Boots, shoes and gloves	16	3,053	517	3,570	7	1,399
Textiles	35	3,218	161	3,379	6	1,221
4. Metals, Machinery and Shipbuilding	**304**	**37,825**	**249**	**38,074**	**81**	**17,926**
Iron and steel	250	31,527	249	31,776	51	12,603
Other metals	43	4,267	.....	4,267	21	3,359
Shipbuilding	11	2,031	.....	2,031	9	1,964
5. Printing, Binding, Etc	**115**	**24,673**	**1,475**	**26,148**	**36**	**21,899**
6. Wood Working and Furniture	**88**	**12,115**	**45**	**12,160**	**45**	**9,379**
7. Food and Liquors	**116**	**14,357**	.....	**14,357**	**33**	**9,633**
Food products	63	6,918	.....	6,918	25	5,033
Beverages	53	7,439	.....	7,439	8	4,600
8. Theaters and Music	**64**	**14,846**	**1,390**	**16,236**	**13**	**12,076**
9. Tobacco	**66**	**9,280**	**2,608**	**11,888**	**15**	**7,778**
10. Restaurants and Retail Trade	**91**	**8,336**	**200**	**8,536**	**18**	**4,048**
Hotels and restaurants	53	6,056	60	6,116	8	2,861
Retail trade	38	2,280	140	2,420	10	1,187
11. Public Employment	**118**	**10,649**	**62**	**10,711**	**24**	**8,809**
12. Stationary Engine Men	**74**	**14,574**	.....	**14,574**	**28**	**10,434**
13. Miscellaneous	**152**	**13,607**	**210**	**13,817**	**27**	**5,014**
Paper and paper goods	35	3,476	198	3,674	....	.....
Barbering	56	3,568	.....	3,568	5	1,177
Leather and leather goods	9	1,323	.....	1,323	5	919
Glass and glassware	18	1,213	.....	1,213	6	672
Cement and clay products	6	451	.....	451	2	275
Other distinct trades	20	2,598	12	2,610	9	1,971
Mixed employment	8	978	.....	978	....	.....
Grand Total	**2,498**	**422,861**	**14,231**	**437,092**	**713**	**286,470**

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IN THE STATE AND IN THE PRINCIPAL CITIES, SEPTEMBER 30, 1907.

City.	Buffalo.		Rochester.		Syracuse.		Albany.		Schenectady.		Troy.	
Thereof women.	Org.	Members.	Org.	Members.	Org.	Members.	Org.	Members.	Org.	Members.	Org.	Members.
.....	43	5,650	20	5,731	19	2,668	14	1,566	9	1,407	9	910
.....	4	281	1	122	1	56	2	110	....	.....	....	.....
.....	39	5,369	16	3,327	15	2,429	11	1,281	8	1,282	8	876
.....	....	.....	3	2,282	3	183	1	175	1	125	1	34
407	53	13,194	17	2,585	14	1,208	21	3,389	3	232	10	1,182
.....	32	5,252	12	2,089	12	1,072	12	1,761	3	232	5	674
.....	6	5,432	....	.....	....	....	2	152	....	.....	....	.....
.....	7	570	3	311	....	....	4	981	....	.....	3	457
.....	7	1,740	....	.....	1	100	1	275	....	.....	2	51
407	1	200	2	185	1	36	2	220	....	.....	....	.....
4,246	10	1,646	4	1,518	12	1,381	3	133	1	43	2	107
1,925	7	1,470	2	68	9	1,133	2	73	1	43	1	90
690	....	.....	....	.....	1	55	1	60	....	.....	1	17
1,414	1	10	....	.....	....	....	....	....	....	.....	....	.....
175	2	166	2	1,450	2	193	....	....	....	.....	....	.....
42	....	.....	....	.....	....	....	....	....	....	.....	....	.....
.....	19	3,265	10	1,839	8	840	11	773	26	4,881	11	1,127
.....	17	3,049	9	1,719	7	753	9	730	25	4,831	9	1,061
.....	2	216	1	120	1	87	2	43	1	50	2	66
.....	....	.....	....	.....	....	....	....	...	....	.....	....	.....
1,330	12	1,056	9	532	6	350	6	795	1	63	1	138
10	7	601	5	535	6	189	4	186	1	100	1	60
.....	10	1,294	5	490	6	448	7	433	2	77	5	318
.....	4	288	3	160	2	220	2	123	2	77	2	125
.....	6	1,006	2	330	4	228	5	310	....	.....	3	193
1,195	3	539	2	504	2	277	3	248	2	126	2	207
2,361	1	508	2	302	3	493	3	262	1	76	1	340
60	7	918	2	330	5	525	3	358	3	279	2	162
60	2	720	2	330	2	350	1	229	1	150	1	102
.....	5	198	....	....	3	175	2	129	2	129	1	60
4	3	507	3	225	2	130	4	188	2	77	2	53
.....	6	2,105	2	610	2	205	3	142	....	.....	1	38
12	7	1,432	3	195	1	170	1	146	1	122	2	182
.....	....	.....	....	.....	....	....	....	....	....	....	1	86
.....	1	532	1	138	1	170	1	146	1	122	1	96
.....	....	.....	....	.....	....	....	....	....	....	.....	....	.....
.....	1	58	2	57	....	....	....	....	....	.....	....	.....
.....	1	107	....	.....	....	....	....	....	....	.....	....	.....
12	3	135	....	.....	....	....	....	....	....	.....	....	.....
.....	1	600	....	.....	....	....	....	....	....	.....	....	.....
9,625	181	32,715	84	15,396	86	8,884	83	8,619	52	7,483	49	4,824

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TABLE IV.—STATISTICS OF BUILDING OPERATIONS IN THE PRINCIPAL CITIES.

(a) Buildings Authorized in New York City in July, August and September, 1906 and 1907.

BOROUGH.	NUMBER OF BUILDINGS.		ESTIMATED COST OF PROJECTED BUILDINGS.		NUMBER OF BUILDINGS.			
					COMMENCED.		COMPLETED.	
	1906.	1907.	1906.	1907.	1906.	1907.	1906.	1907.
NEW BUILDINGS:								
Bronx	518	472	$6,686,250	$4,551,819	528	398	523	515
Brooklyn	2,320	1,762	19,919,665	13,888,614	1,682	1,429	1,523	1,571
Manhattan	362	208	25,668,810	16,693,800	321	231	464	171
Queens	981	943	4,246,129	3,305,459	1,187	533	834	808
Richmond	213	281	1,594,433	853,043	146	230	189	200
Total	4,394	3,666	$58,115,287	$39,292,735	3,864	2,821	3,533	3,265
ALTERATIONS:								
Bronx	166	246	$276,330	$269,415	150	204	152	161
Brooklyn	1,061	2,186	1,567,505	1,673,260	728	1,707	822	1,815
Manhattan	949	915	3,721,661	3,848,875	795	766	799	880
Queens	345	498	316,342	312,015	363	331	293	400
Richmond	158	141	229,966	60,840	126	115	139	126
Total	2,679	3,986	$6,111,804	$6,164,405	2,162	3,123	2,205	3,382
TOTAL OF NEW BUILDINGS AND ALTERATIONS:								
Bronx	684	718	$6,962,580	$4,821,234	678	602	675	676
Brooklyn	3,381	3,948	21,487,170	15,561,874	2,410	3,136	2,345	3,386
Manhattan	1,311	1,123	29,390,471	20,542,675	1,116	997	1,263	1,051
Queens	1,326	1,441	4,562,471	3,617,474	1,550	864	1,127	1,208
Richmond	371	422	1,824,399	913,883	272	345	328	326
Total	7,073	7,652	$64,227,091	$45,457,140	6,026	5,944	5,738	6,647

Number and Estimated Cost of New and Remodeled Tenement Houses Included in the Foregoing Table.

BOROUGH.	NUMBER OF BUILDINGS.		ESTIMATED COST.	
	1906.	1907.	1906.	1907.
NEW TENEMENTS:				
Bronx	90	63	$3,409,000	$1,094,700
Brooklyn	758	416	9,970,500	5,918,300
Manhattan	224	68	12,457,500	7,163,000
Queens	124	95	917,000	664,800
Richmond	.....	1	.....	5,500
Total	1,196	643	$26,754,000	$14,846,300
REMODELED TENEMENTS:				
Bronx	25	43	$28,400	$34,325
Brooklyn	124	156	79,435	71,617
Manhattan	628	521	1,521,381	950,825
Queens	17	36	7,878	15,050
Richmond	2	3	440	5,155
Total	796	759	$1,637,534	$1,076,972
TOTAL OF NEW AND REMODELED TENEMENTS:				
Bronx	115	106	$3,437,400	$1,129,025
Brooklyn	882	572	10,049,935	5,989,917
Manhattan	852	589	13,978,881	8,113,825
Queens	141	131	924,878	679,850
Richmond	2	4	440	10,655
Total	1,992	1,402	$28,391,534	$15,923,272

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TABLE IV.—STATISTICS OF BUILDING OPERATIONS—(Continued).
(b) Buffalo, Rochester, Syracuse and Troy.

CITY AND PERIOD.		NEW BUILDINGS.		ADDITIONS AND REPAIRS.		ALL BUILDINGS.	
		No.	Cost.	No.	Cost.	No.	Cost.
BUFFALO.							
July		186	a$831,325	87	$125,675	273	a$957,000
August		139	541,675	72	119,325	211	661,000
September		187	513,010	110	174,990	297	688,000
July-September,	1907	512	a$1,886,010	269	$419,990	781	a$2,306,000
	1906	451	*1,794,185	233	306,360	684	*2,100,545
	1905	473	¶1,907,359	279	416,720	752	¶2,324,079
	1904	453	1,495,677	258	205,815	711	1,701,492
	1903	428	1,428,274	101	124,458	529	1,552,732
	1902	414	1,806,871	227	189,739	641	1,996,610
	1901	104	696,250	67	68,189	171	764,439
	1900	129	292,886	113	192,955	242	485,841
ROCHESTER.							
July		135	b$910,620	34	$42,305	169	b$952,925
August		173	c855,310	48	48,820	221	c904,130
September		134	419,325	40	57,200	174	476,525
July-September,	1907	442	d$2,185,255	122	$148,325	564	d$2,333,580
	1906	365	1,244,745	121	175,069	486	1,419,814
	1905	362	1,090,175	86	101,575	448	1,191,750
	1904	249	807,707	47	34,856	296	842,563
	1903	105	403,688	45	32,905	150	436,593
	1902	151	561,641	50	71,275	201	632,916
	1901	119	725,381	47	53,000	166	778,381
	1900	132	511,543	60	63,955	192	575,498
SYRACUSE.							
July		62	$256,935	64	$86,060	126	$342,995
August		52	130,525	60	42,350	112	172,875
September		69	208,972	43	36,235	112	245,207
July-September,	1907	183	$596,432	167	$164,645	350	$761,077
	1906	154	†954,814	113	90,770	267	†1,045,584
	1905	101	§792,727	92	62,160	193	§854,887
	1904	101	281,054	114	104,190	215	385,244
	1903	70	382,475	78	68,180	148	450,655
	1902	67	312,450	67	48,680	134	361,130
	1901	91	371,590	101	48,283	192	419,873
	1900	71	215,290	118	60,510	189	275,800
TROY.							
July-September,	1907	11	$61,150	61	$55,050	72	$116,200
	1906	19	‡225,300	52	21,465	71	‡246,765

aIncluding wing to hospital to cost $121,000.
bIncluding fire proof hotel to cost $500,000.
cIncluding fire proof addition to dry goods store to cost $120,000.
dIncluding fire proof hotel to cost $500,000 and a fire proof addition to a dry goods store to cost $120,000.
*Inculding two fireproof factory buildings to cost $375,000.
¶Including three large buildings to cost $591,000.
†Including a chemical laboratory to cost $150,000 and a central telephone station to cost $119,000.
§Including a library building to cost $150,000.
‡Including an apartment house to cost $130,000.

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TABLE V.—IMMIGRATION AT THE PORT OF
(Compiled by the Bureau of Immigration and

	RACE OR PEOPLE.	SEX.		Total admitted.	Under 14 years.
		Male.	Female.		
1	African (black)	333	385	718	81
2	Armenian	582	351	933	145
3	Bohemian and Moravian	1,604	1,202	2,806	457
4	Bulgarian, Servian, Montenegrin	2,872	230	3,102	84
5	Chinese	4	.....	4	.....
6	Croatian and Slovenian	5,654	2,010	7,664	537
7	Cuban	873	290	1,163	135
8	Dalmatian, Bosnian, Herzegovinian	1,426	151	1,577	41
9	Dutch and Flemish	1,693	1,089	2,782	575
10	East Indian	33	2	35	.....
11	English	5,077	3,691	8,768	1,246
12	Finnish	717	603	1,320	95
13	French	1,379	1,131	2,510	306
14	German	11,604	8,530	20,134	2,989
15	Greek	10,234	702	10,936	254
16	Hebrew	18,780	16,638	35,418	8,388
17	Irish	3,976	3,827	7,803	496
18	Italian (North)	5,355	2,274	7,629	835
19	Italian (South)	30,878	13,649	44,527	7,259
20	Japanese	16	1	17	.....
21	Korean	.....	.....	.....	.....
22	Lithuanian	2,622	1,733	4,355	372
23	Magyar	5,062	3,044	8,106	1,089
24	Mexican	102	26	128	18
25	Pacific Islander	.....	.....	.....	.....
26	Polish	15,756	8,595	24,351	2,381
27	Portuguese	632	356	988	162
28	Roumanian	2,755	395	3,150	78
29	Russian	2,413	447	2,860	134
30	Ruthenian (Russniak)	3,040	1,257	4,297	207
31	Scandinavian	3,744	3,373	7,117	723
32	Scotch	1,585	1,369	2,954	556
33	Slovak	2,962	1,859	4,821	708
34	Spanish	873	256	1,129	105
35	Spanish-American	239	87	326	59
36	Syrian	980	481	1,461	171
37	Turkish	461	7	468	3
38	Welsh	409	209	618	101
39	West Indian (except Cuban)	121	132	253	38
40	Other peoples	462	38	500	14
41	Grand total	147,308	80,420	227,728	30,842

* The number of immigrants destined

Alabama	419	Indiana	1,783
Alaska	14	Indian Territory	79
Arizona	336	Iowa	1,011
Arkansas	69	Kansas	654
California	3,802	Kentucky	153
Colorado	1,157	Louisiana	350
Connecticut	6,800	Maine	404
Delaware	271	Maryland	942
District of Columbia	271	Massachusetts	13,328
Florida	265	Michigan	4,329
Georgia	194	Minnesota	2,061
Hawaii	18	Mississippi	80
Idaho	165	Missouri	3,895
Illinois	15,894	Montana	612

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NEW YORK, QUARTER ENDED SEPTEMBER 30, 1907.*

Naturalization, Department of Commerce and Labor.)

AGE.		ILLITERACY (14 years and over.)		Have been in the United States before.	Total debarred	TOTAL ADMITTED.		
14 to 44 years.	45 and over.	Can read but cannot write.	Can neither read nor write.			Third quarter, 1906.	Second quarter, 1907.	
612	25	.....	18	70	11	739	1,016	1
741	47	.....	205	19	8	507	534	2
2,220	129	.....	37	45	6	1,833	3,495	3
2,920	98	.....	1,219	57	76	1,188	8,470	4
4	.....	.....	.....	1	.....	3	5	5
6,923	204	9	1,883	315	27	5,370	13,148	6
899	129	.....	3	595	1	1,069	577	7
1,505	31	.....	718	45	21	924	3,254	8
2,020	187	.....	82	183	9	1,863	4,902	9
34	1	.....	2	6	5	19	11	10
6,631	891	5	43	1,815	20	7,671	10,551	11
1,204	21	4	37	92	.....	1,376	3,076	12
2,011	193	1	54	394	21	2,057	2,400	13
15,951	1,194	14	892	1,312	72	15,335	27,645	14
10,582	100	1	2,687	267	86	5,546	19,877	15
25,269	1,761	23	8,158	286	163	42,638	28,387	16
7,024	283	11	79	873	36	6,440	12,411	17
6,548	246	1	635	567	34	8,685	16,730	18
34,236	3,032	10	19,920	2,310	415	42,916	93,986	19
17	.....	.....	.....	5	3	23	11	20
.....	.....	.....	.....	.....	.....	.....	1	21
3,895	88	59	2,429	60	44	3,594	9,585	22
6,760	257	4	755	372	23	7,362	19,652	23
104	6	.....	3	51	.....	25	8	24
.....	.....	.....	.....	.....	.....	.....	.....	25
21,489	481	333	8,553	506	110	16,969	51,385	26
775	51	.....	493	82	1	409	1,345	27
2,946	126	1	1,126	68	6	1,292	5,835	28
2,672	54	6	993	26	9	997	4,165	29
3,992	98	8	2,234	155	27	2,946	7,477	30
6,074	320	2	31	629	16	7,838	15,164	31
2,188	210	1	7	400	10	3,330	5,920	32
3,980	133	3	841	418	26	5,748	11,721	33
947	77	1	166	169	13	777	1,321	34
232	35	.....	2	117	1	367	244	35
1,264	26	.....	787	70	37	1,016	1,303	36
459	6	.....	267	7	3	133	843	37
461	56	.....	8	83	.....	552	753	38
198	17	1	2	83	2	503	359	39
472	14	.....	213	9	9	245	737	40
186,259	10,627	498	55,582	12,562	1,353	200,305	388,304	41

to each state or territory is shown below:

Nebraska	819	Rhode Island	1,826
Nevada	227	South Carolina	36
New Hampshire	707	South Dakota	344
New Jersey	13,792	Tennessee	140
New Mexico	83	Texas	295
New York	96,225	Utah	530
North Carolina	44	Vermont	375
North Dakota	684	Virginia	403
Ohio	10,454	Washington	1,202
Oklahoma	40	West Virginia	1,589
Oregon	556	Wisconsin	3,706
Pennsylvania	34,054	Wyoming	223
Philippine Islands	1		
Porto Rico	23	Grand total	227,728

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BUREAU OF FACTORY INSPECTION.

Table VI.—Record of the Deputy Factory Inspectors.

	Third Quarter, 1907.				Third Quarter, 1906.
Regular inspections:	July.	Aug.	Sept.	Total.	
Factories in separate buildings	1,265	853	705	2,823	
Tenant factories	1,589	1,175	1,238	4,002	7,652
Laundries	214	94	73	381	
Bakeries	302	253	214	769	980
Mines or quarries	23	37	29	89	76
Tenant factory buildings	7	12	7	26	.....
Tenement buildings (licensed)	601	348	489	1,438	§
Total	4,001	2,772	2,755	9,528	.....
Special inspections (factories, laundries, bakeries)	215	122	43	380	.....
Investigations:					
Accidents	.....	.....	.....	.....	25
Applications for license	308	291	270	869	1,010
Complaints	69	78	89	236	98
Compliances (No. of establishments)	2,379	2,316	3,730	8,425	6,744
On special orders	112	156	113	381	*
Total	2,868	2,841	4,202	9,911	.....
Observations—Tenement buildings (unlicensed)	651	316	281	1,248	§
Tagging, to stop work:					
Goods in tenements (§100)	6	30	3	39	89
Goods in tenant factories (§95)	29	12	10	51	.....
Articles in bakeries (§114)	.....	2	.....	2	.....
Unsafe machinery (§81)	.....	.....	.....	.....	.....
Scaffolding (§19)	.....	.....	.....	.....	*
Total	35	44	13	92	*
Prosecutions begun	38	21	10	69	*
Days or parts of days on court work	71	78	31½	180½	90
Days consumed by illness or travel	98¾	76½	63¾	238¾	*
Days absent by leave or vacation	62	318½	174½	555	*

Table VII.—Number of Children's Employment Certificates Issued by Boards of Health in First and Second Class Cities.

City.	Third Quarter, 1907.				Third Quarter, 1906.
New York City:	July.	Aug.	Sept.	Total.	
Bronx Borough	200	70	275	545	412
Brooklyn Borough	57	49	88	194	378
Manhattan Borough	1,333	381	1,711	3,425	2,915
Queens Borough	91	47	94	232	157
Richmond Borough	15	5	14	34	55
Total—New York City	1,696	552	2,182	†4,430	†3,917
Buffalo	199	73	81	353	207
Rochester	196	72	90	358	327
Syracuse	142	50	92	284	231
Albany	37	18	22	77	83
Troy	69	15	53	137	84
Utica	106	26	37	169	147
Yonkers	20	15	19	54	18
Schenectady	35	10	31	76	48

§ Licensed and unlicensed buildings inspected, 116. * No record kept.
† Includes "mercantile" as well as "manufacturing" certificates.

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BUREAU OF FACTORY INSPECTION.

Table VIII.—Licenses for Tenement Manufactures.

		Third Quarter, 1907.			Total, Oct. 1, 1904, to Sept. 30, 1907.
		New York City.	Remainder of State.	Total.	
Applications pending June 30, 1907		125	.....	125	.....
Applications received		584	26	610	10,257
Total		709	26	735	10,257
(1) Applications for dwellings without clear record from local health or tenement-house authorities and therefore	refused	.....	.....	.....	1,775
(2) Applications for dwellings with clear record from health and tenement-house authorities, investigated by factory inspector and	granted	425	10	435	5,294
	refused	112	.....	112	1,663
	standing*	39	.....	39	292
(3) Applications for shop buildings investigated by factory inspector and	granted	5	16	21	686
	refused	2	.....	2	179
	standing*	.....	.....	.....	3
Applications refused† in class 1 with subsequent report of compliance with orders of health or tenement house authorities, investigated by factory inspector and	granted	48	.....	48	932
	refused	13	.....	13	407
Applications refused† in classes 2 or 3, subsequently re-investigated and	granted	114	.....	114	1,513
	refused	44	.....	44	904
Total applications granted		592	26	618	8,405
Total applications refused (net)‡		48	.....	48	1,192
Total applications standing*		39	.....	39	295
Applications cancelled by applicants		6	.....	6	218
Applications duplicated		.....	.....	.....	27
Applications pending Sept. 30, 1907		120	.....	120	120
Licenses cancelled at request of applicants		68	1	69	277
Licenses revoked for unlawful conditions		3	.....	3	8
Net increase in outstanding licenses		521	25	546	.....
Licenses outstanding June 30, 1907		7,107	467	7,574	.....
Licenses outstanding Sept. 30, 1907		7,628	492	8,120	8,120

* These are cases in which investigation showed no work being done or likely to be done on the premises and in which no further application for the license was received after investigation.

† In present or previous quarters.

‡ The number of buildings held to be below the requirements for licensing was 1,240 at the beginning of the quarter. As the result of re-applications and re-inspections during the quarter, the number of rejected applications was reduced to 1,192.

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TABLE IX.—ACCIDENTS IN FACTORIES, QUARRIES AND TUNNELS, JULY-SEPTEMBER, 1907.

(a) Age and Sex of Persons Injured.

CAUSE. [n. e. s.=Not elsewhere specified.]	Under 16 years.	16–18 years.	18 years +	Age not stated.	TOTAL.	Male.	Fem.
MECHANICAL POWER.							
Transmission of power:							
Motors (engines, dynamos, flywheels, etc.)	.....	1	50	.....	51	51	.....
Air fans, steam pumps, etc	.....	.....	7	.....	7	7	.....
Gearing on all machines	1	14	88	.....	103	90	13
Set screws	1	2	13	.....	16	15	1
Shafting	.....	2	20	.....	22	20	2
Belts and pulleys	.....	8	112	.....	120	116	4
Conveying and hoisting apparatus:							
Elevators and lifts	3	12	48	.....	63	62	1
Cranes (steam, electric, portable, etc.)	.....	.....	34	.....	34	34	.....
Hoisting and conveying machinery and apparatus, n. e. s.	2	6	312	1	321	319	2
Locomotives and trains	.....	4	62	.....	66	66	.....
Wood working machines:							
Saws	3	16	185	1	205	205	.....
Planers	.....	3	34	.....	37	37	.....
Jointers or buzz planers	.....	.....	23	.....	23	23	.....
Shapers	.....	.....	17	.....	17	17	.....
Lathes	.....	.....	2	.....	2	2	.....
Other wood working machines	.....	3	27	1	31	31	.....
Paper and printing machinery:							
Barkers	.....	2	13	.....	15	15	.....
Calenders and other paper making machines	.....	3	52	.....	55	53	2
Paper cutting, stitching and staying machines	2	14	48	1	65	44	21
Printing presses	1	11	21	.....	33	27	6
Textile machinery:							
Picking machines	.....	1	10	.....	11	10	1
Carding machines	1	8	17	.....	26	22	4
Spinning machines	.....	3	11	.....	14	10	4
Looms	2	1	23	.....	26	12	14
Formers, knitting machines and other textile machinery	4	10	39	1	54	37	17
Sewing machines, etc	1	5	10	.....	16	6	10
Laundry machines	.....	1	4	.....	5	2	3
Leather working machinery	.....	1	22	.....	23	17	6
Metal working machinery:							
Stamping machines	4	32	147	2	185	160	25
Drilling and milling machines	.....	15	92	1	108	107	1
Screw machines	.....	2	12	.....	14	14	.....
Lathes	.....	2	37	1	40	40	.....
Drop and power hammers	1	1	50	1	53	51	2
Shears	.....	1	29	.....	30	30	.....
Rollers	.....	.....	44	.....	44	44	.....
Others	1	19	117	.....	137	130	7
Polishing machines:							
Contact with grindstones, emery wheels, etc	.....	1	40	.....	41	41	.....
Struck by fragments of polishing wheels	.....	2	42	.....	44	44	.....
Other	.....	4	29	.....	33	33	.....
Machines used in bakeries, confectionery establishments, etc	1	2	8	.....	11	10	1
Machines not elsewhere specified	*2	14	141	.....	*157	*149	8
Total	*30	226	2,092	10	*2,358	*2,203	155
HEAT AND ELECTRICITY.							
Explosives (powder, dynamite, etc.)	.....	.....	19	.....	19	19	.....
Explosion and ignition of gases	.....	.....	37	.....	37	36	1
Explosion of boilers and steam pipes	.....	1	12	.....	13	13	.....
Other injuries from steam and hot liquids	.....	1	68	.....	69	69	.....
Caustics	.....	1	26	.....	27	27	.....
Explosion of molten metals	.....	1	21	.....	22	22	.....
Other accidents from molten metals	.....	.....	75	.....	75	75	.....
Vats, pans, etc. (containing hot liquids or caustics)	.....	.....	7	.....	7	7	.....
Electricity	.....	.....	72	.....	72	72	.....
Fire and heat, n. e. s	.....	3	108	.....	111	110	1
Total	.....	7	445	.....	452	450	2

*One not an employee.

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TABLE IX.—ACCIDENTS IN FACTORIES, QUARRIES AND TUNNELS, JULY-SEPTEMBER, 1907.

(a) Age and Sex of Persons Injured—(Concluded).

CAUSE. [n. e. s.=Not elsewhere specified.]	Under 16 years.	16–18 years.	18 years +	Age not stated.	TOTAL.	Male.	Fem.
FALL OF PERSON.							
Fall from ladder, scaffold, platform, etc.	....	3	76	....	79	77	2
Fall from machinery, trucks, engines, etc.	....	4	67	1	72	72	.....
Fall caused by collapse of support	....	4	46	1	51	51	.....
Fall through opening in floor	....	1	22	....	23	23	.....
Fall in hoistway, shaft, etc	1	2	4	2	9	9	.....
Fall on stairs, steps, etc.	....	2	19	....	21	17	4
Fall on level by slipping	....	....	23	....	23	21	2
Fall on level by tripping	1	....	20	....	21	19	2
All others	1	2	80	1	84	83	1
Total	3	18	357	5	383	372	11
INJURED BY WEIGHTS.							
Falling rock and earth (quarrying, excavating, etc.)	....	1	73	....	74	74	.....
Falling pile of material (lumber, coal, cement, etc.)	....	1	51	....	52	52	.....
Falling walls, doors and other objects	3	4	281	1	289	288	1
Tools or weights dropped by person injured	....	....	60	1	61	61	.....
Falling objects dropped by other persons	1	....	20	....	21	21	.....
Heavy materials or parts on which injured persons were at work	....	2	134	1	137	137	.....
Machinery being moved	....	1	44	....	45	45	.....
Fall of materials from trucks in transit	....	....	47	....	47	47	.....
Handling of castings, flasks, etc.	....	2	138	....	140	140	.....
Handling of stone, ore, etc.	....	2	40	....	42	42	.....
Handling of lumber, paper and other materials	....	2	71	....	73	72	1
Loading or unloading	....	2	139	....	141	141	.....
Cause insufficiently described for classification	....	1	52	....	53	52	1
Total	4	18	1,150	3	1,175	1,172	3
FLYING OBJECTS.							
Struck in eye by piece of metal, glass, etc.	....	4	159	....	163	162	1
Other injuries from flying objects	....	1	56	....	57	57	.....
Total	....	5	215	....	220	219	1
VEHICLES AND ACCIDENTS CAUSED BY ANIMALS	1	3	100	1	105	102	3
MISCELLANEOUS.							
Hand tools (hammers, knives, wrenches, files, etc.)	....	6	169	1	176	169	7
Tools in hands of fellow workmen	....	2	33	1	36	36	.....
Injured while fitting and assembling, n. e. s.	....	1	63	1	65	65	.....
Hand caught on nail, wire, sharp projection, etc.	1	4	99	....	104	102	2
Hand cut on glass	....	2	15	....	17	16	1
Injured by stepping on nail, sliver, etc.	....	3	71	1	75	74	1
Inhalation of poisonous gases	....	....	5	....	5	5	.....
All other causes	1	9	81	2	93	90	3
Total	2	27	536	6	571	557	14
GRAND TOTAL	*40	304	4,895	25	*5,264	*5,075	189

*One not an employee.

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TABLE IX.—(b) Causes and Results of Accidents in Fac

CAUSE. [n. e. s.=Not elsewhere specified.]	Grand total.	TEMPORARY				
		Lacerations.	Burns.	Cuts.	Bruises.	Sprains.
MECHANICAL POWER.						
Transmission of power:						
Motors (engines, dynamos, fly wheels, etc.)	51	12	....	9	11	.....
Air fans, steam pumps, etc	7	1	.....	2	1	.....
Gearing on all machines	103	28	.....	8	8	.....
Set screws	16	7	.....	2	2	.....
Shafting	22	2	.....	.....	4	.....
Belts and pulleys	120	20	2	14	13	4
Conveying and hoisting apparatus:						
Elevators and lifts	63	13	.....	3	15	3
Cranes (steam, electric, portable, etc.)	34	5	.....	2	6	.....
Hoisting and conveying machinery and apparatus, n. e. s.	321	59	4	16	91	7
Locomotives and trains	66	5	1	2	10	.....
Wood working machines:						
Saws	205	64	1	16	6	1
Planers	37	3	.....	5	1	.....
Jointers or buzz planers	23	.....	.....	3	.....	.....
Shapers	17	2	.....	4	.....	.....
Lathes	2	.....	.....	.....	.....	.....
Other wood working machines	31	8	.....	7	1	.....
Paper and printing machinery:						
Barkers	15	.....	.....	7	.....	.....
Calenders and other paper making machines	55	10	2	4	7	.....
Paper cutting, stiching and staying machines	65	12	.....	2	9	.....
Printing presses	33	8	.....	3	5	.....
Textile machinery:						
Picking machines	11	4	.....	1	.....	.....
Carding machines	26	4	.....	11	1	.....
Spinning machines	14	2	1	.....	4	.....
Looms	26	6	.....	7	3	.....
Formers, knitting machines and other textile machinery	54	13	.....	6	5	.....
Sewing machines, etc	16	3	.....	7	1	.....
Laundry machines	5	2	.....	.....	.....	.....
Leather working machinery	23	.....	.....	4	1	.....
Metal working machinery:						
Stamping machines	185	23	.....	14	9	.....
Drilling and milling machines	108	22	.....	28	13	2
Screw machines	14	1	.....	4	1	.....
Lathes	40	4	.....	10	8	.....
Drop and power hammers	53	7	.....	8	8	1
Shears	30	3	.....	2	5	1
Rollers	44	10	8	3	4	1
Others	137	27	2	21	18	4
Polishing machines:						
Contact with grindstones, emery wheels, etc	41	12	.....	8	.....	.....
Struck by fragments of polishing wheels	44	1	.....	6	6	.....
Other	33	10	.....	4	5	1
Machines used in bakeries, confectionery establishments, etc	11	1	.....	2	2	.....
Machines not elsewhere specified	*157	26	1	30	19	4
Total	*2,358	440	22	285	303	29
HEAT AND ELECTRICITY.						
Explosives (powder, dynamite, etc.)	19	1	.....	1	2	.....
Explosion and ignition of gases	37	1	27	.....	.....	.....
Explosion of boilers and steam pipes	13	.....	5	.....	.....	.....
Other injuries from steam and hot liquids	69	.....	63	.....	.....	.....
Caustics	27	.....	20	.....	.....	.....
Explosion of molten metals	22	1	16	.....	1	.....
Other accidents from molten metals	75	.....	65	.....	.....	.....
Vats, pans, etc. (containing hot liquids or caustics)	7	.....	4	.....	.....	.....
Electricity	72	1	61	.....	.....	.....
Fire and heat, n. e. s	111	.....	102	1	.....	.....
Total	452	4	363	2	3	.....

*One not an employee.

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tories, Quarries and Tunnels, July 1–September 30, 1907.

DISABLEMENT.					PERMANENT DISABLEMENT.							
					LOSS OF ONE OR BOTH—							
Fractures.	Plural injuries.	Other.	Total.	Serious injuries, probably permanent.	Limbs.	Hands or feet.	Fingers.	Eyes.	Internally.	All others.	Total.	Deaths.
3	5	1	41	2	1	.....	4	.....	1	1	7	1
1	.....	.....	5	1	.....	.....	1	.....	.....	.....	1	.....
.....	1	2	47	13	.....	.....	40	.....	.....	2	42	1
.....	1	.....	12	2	.....	.....	1	.....	.....	.....	1	1
.....	6	2	14	3	1	.....	.....	.....	.....	3	4	1
8	24	1	86	13	1	.....	5	1	1	4	12	9
2	8	1	45	7	.....	.....	2	.....	1	4	7	4
2	1	2	18	6	.....	1	3	.....	2	1	7	3
15	35	2	229	41	1	.....	34	.....	3	7	45	6
1	13	.....	32	13	2	2	4	.....	2	.....	10	11
4	3	3	98	30	1	2	57	2	2	9	73	4
1	1	.....	11	3	1	.....	21	.....	.....	1	23	.....
.....	1	.....	4	3	.....	.....	16	.....	.....	.....	16	.....
.....	1	.....	7	.....	.....	.....	9	.....	.....	.....	9	1
.....	.....	.....	.....	2	.....	.....	.....	.....	.....	.....	.....	.....
.....	4	1	21	4	.....	.....	5	.....	1	.....	6	.....
.....	2	.....	9	2	.....	.....	3	.....	.....	1	4	.....
.....	3	2	28	16	1	.....	7	.....	.....	3	11	.....
.....	2	2	27	13	.....	2	22	.....	.....	1	25	.....
1	4	1	22	3	.....	1	6	.....	.....	1	8	.....
3	.....	1	9	2	.....	.....	.....	.....	.....	.....	.....	.....
.....	4	.....	20	.....	1	.....	3	.....	.....	2	6	.....
1	.....	.....	8	3	.....	.....	2	.....	.....	1	3	.....
1	2	.....	19	4	.....	.....	2	.....	.....	1	3	.....
1	5	1	31	8	.....	.....	11	.....	3	1	15	.....
.....	.....	4	15	.....	.....	.....	1	.....	.....	.....	1	.....
.....	.....	.....	2	2	.....	.....	1	.....	.....	.....	1	.....
2	1	1	9	3	.....	1	6	.....	.....	4	11	.....
3	1	.....	50	37	.....	.....	95	.....	.....	2	97	1
2	5	3	75	18	.....	.....	10	.....	1	4	15	.....
1	1	.....	8	3	.....	.....	3	.....	.....	.....	3	.....
3	.....	.....	25	8	.....	.....	5	1	.....	1	7	.....
1	1	1	27	13	.....	.....	10	.....	1	2	13	.....
1	1	1	14	5	.....	.....	7	.....	.....	4	11	.....
1	5	.....	32	7	.....	.....	3	.....	.....	5	5	.....
4	9	1	86	22	.....	1	25	.....	1	2	29	.....
.....	.....	2	22	11	.....	.....	6	.....	.....	2	8	.....
.....	3	11	27	12	.....	.....	.....	3	.....	2	5	.....
2	2	2	26	3	.....	.....	4	.....	.....	.....	4	.....
.....	.....	.....	5	2	.....	1	3	.....	.....	.....	4	.....
5	*13	7	*105	22	.....	.....	23	.....	2	4	29	1
69	*168	55	*1,371	362	10	11	460	7	21	72	581	44
.....	5	.....	9	2	1	1	.....	1	.....	.....	3	5
.....	3	.....	31	1	.....	.....	.....	.....	.....	1	1	4
.....	2	.....	7	1	.....	.....	.....	.....	1	.....	1	4
.....	1	.....	64	4	.....	.....	.....	.....	.....	.....	.....	1
.....	2	.....	22	5	.....	.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	18	1	.....	.....	.....	2	.....	.....	2	1
.....	1	.....	66	7	.....	.....	.....	1	.....	.....	1	1
.....	.....	.....	4	.....	.....	.....	.....	.....	.....	.....	.....	3
.....	2	3	67	.....	.....	.....	.....	.....	.....	1	1	4
.....	3	.....	106	1	.....	.....	.....	1	.....	.....	1	3
.....	19	3	394	22	1	1	.....	5	1	2	10	26

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TABLE IX. —(b) Causes and Results of Accidents in Factories.

CAUSE. [n. e. s.=Not elsewhere specified.]	Grand total.	Temporary				
		Lacerations.	Burns.	Cuts.	Bruises.	Sprains.
FALL OF PERSON.						
Fall from ladder, scaffold, platform, etc	79	5	.....	3	13	13
Fall from machinery, trucks, engines, etc	72	3	.....	4	13	14
Fall caused by collapse of support	51	1	2	3	11	7
Fall through opening in floor	23	.....	.....	1	5	5
Fall in hoistway, shaft, etc	9	....	.....	.....	1	1
Fall on stairs, steps, etc	21	.....	.....	2	6	4
Fall on level by slipping	23	2	....	4	2	9
Fall on level by tripping	21	1	.....	.....	4	5
All others	84	19	1	8	8	16
Total	383	31	3	25	63	74
INJURED BY WEIGHTS.						
Falling rock and earth (quarrying, excavating, etc.)	74	9	.....	1	14	1
Falling pile of material (lumber, coal, cement, etc.)	52	7	.....	3	21	2
Falling walls, doors and other objects	289	71	2	36	101	3
Tools or weights dropped by person injured	61	18	1	10	23	1
Falling objects dropped by other persons	21	6	.....	5	9	.....
Heavy materials or parts on which injured persons were at work	137	31	.....	9	46	7
Machinery being moved	45	12	.....	5	9	2
Fall of materials from trucks in transit	47	13	.....	1	16	4
Handling of castings, flasks, etc	140	37	.....	6	40	20
Handling of stone, ore, etc	42	11	.....	2	11	1
Handling of lumber, paper and other materials	73	15	.....	5	10	8
Loading or unloading	141	34	1	12	52	7
Cause insufficiently described for classification	53	10	.....	2	13	4
Total	1,175	274	4	97	374	60
FLYING OBJECTS.						
Struck in eye by piece of metal, glass, etc	163	2	5	19	3	.....
Other injuries from flying objects	57	17	.....	30	1	.....
Total	220	19	5	49	4	.....
VEHICLES AND ACCIDENTS CAUSED BY ANIMALS	105	19	.....	4	40	3
MISCELLANEOUS.						
Hand tools (hammers, knives, wrenches, files, etc.)	176	42	.....	65	37	2
Tools in hands of fellow workmen	36	14	1	4	9	.....
Injured while fitting and assembling, n. e. s.	65	11	1	12	14	5
Hand caught on nail, wire, sharp projection, etc	104	31	.....	44	6	.....
Hand cut on glass	17	1	.....	16	.....	.....
Injured by stepping on nail, sliver, etc	75	42	.....	11	.....	2
Inhalation of poisonous gases	5	.....	.....	.....	.....	.....
All other causes	93	12	1	10	12	24
Total	571	153	3	162	78	33
GRAND TOTAL	*5,264	940	400	624	865	199

*One not an employee.

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Quarries and Tunnels, July 1–September 30, 1907—(*Concluded*).

DISABLEMENT.				Serious injuries, probably permanent.	PERMANENT DISABLEMENT.							Deaths.
					LOSS OF ONE OR BOTH—							
Fractures.	Plural injuries.	Other.	Total.		Limbs.	Hands or feet.	Fingers.	Eyes.	Internally.	All others.	Total.	
6	23	3	66	3	1	.....	.....	.....	2	1	4	6
10	14	2	60	3	.....	.....	.....	.....	3	4	7	2
10	12	3	49	.....	.....	.....	.....	.....	.....	1	1	1
2	6	2	21	1	.....	.....	.....	.....	.....	1	1	.....
1	3	.....	6	1	.....	.....	.....	.....	.....	.....	.....	2
3	3	1	19	1	.....	.....	.....	.....	.....	.....	.....	1
1	2	1	21	1	.....	.....	.....	.....	.....	1	1	.....
2	2	2	16	2	.....	.....	.....	.....	1	2	3	.....
7	11	2	72	5	.....	.....	2	.....	2	2	6	1
42	76	16	330	17	1	.....	2	.....	8	12	23	13
7	17	1	50	7	.....	.....	6	.....	2	3	11	6
3	9	2	47	4	.....	.....	.....	.....	.....	1	1	.....
8	29	5	255	15	.....	.....	6	.....	1	9	16	3
1	3	2	59	.....	.....	.....	1	.....	.....	1	2	.....
.....	1	.....	21	.....	.....	.....	.....	.....	.....	.....	.....	.....
5	8	5	111	15	.....	.....	7	.....	1	3	11	.....
3	4	.....	35	3	.....	.....	4	.....	2	1	7	.....
1	2	1	38	7	.....	.....	.....	.....	.....	2	2	.....
5	6	1	115	12	.....	.....	4	.....	5	4	13	.....
3	1	.....	29	8	.....	.....	2	.....	1	2	5	.....
4	5	2	58	8	.....	.....	3	.....	1	3	7	.....
3	12	2	123	6	.....	.....	8	.....	1	2	11	1
.....	6	1	36	7	.....	.....	6	.....	2	1	9	1
43	103	22	977	92	.....	.....	47	.....	16	32	95	11
.....	2	64	95	44	.....	.....	.....	23	.....	1	24	.....
.....	1	7	56	.....	.....	.....	1	.....	.....	.....	1	.....
.....	3	71	151	44	.....	.....	1	23	.....	1	25	.....
4	17	3	90	9	.....	.....	2	.....	2	1	5	1
5	5	7	163	8	.....	.....	3	.....	.....	2	5	.....
1	3	.....	32	2	.....	.....	1	.....	.....	1	2	.....
2	5	1	51	4	.....	.....	8	.....	.....	2	10	.....
.....	7	7	95	7	.....	.....	2	.....	.....	.....	2	.....
.....	.....	.....	17	.....	.....	.....	.....	.....	.....	.....	.....	.....
.....	.....	20	75	.....	.....	.....	.....	.....	.....	.....	.....	.....
.....	.....	5	5	.....	.....	.....	.....	.....	.....	.....	.....	.....
3	11	7	80	8	.....	.....	1	.....	1	1	3	2
11	31	47	518	29	.....	.....	15	.....	1	6	22	2
169	*417	217	*3,831	575	12	12	527	35	49	126	761	97

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TABLE X.—IDLENESS OF ORGANIZED WAGE WORKERS IN REPRESENTATIVE UNIONS IN NEW YORK CITY AT THE END OF DECEMBER: (a) 1907.

INDUSTRIES OR GROUPS OF TRADES.	Unions.	Members.	Number idle.	Per cent idle.	Idle on Account of—			
					Lack of work.	Strike or lock-out.	Sickness, accident or old age.	Other reasons.
1. Building, Stone Working, Etc.	**30**	**23,341**	**10,507**	**45.0**	**10,256**	.....	**229**	**22**
Stone working	1	675	350	51.9	350	.....	.....	.....
Building and paving trades	26	20,469	9,128	44.6	8,877	.....	229	22
Building and street labor	3	2,197	1,029	46.9	1,029	.....	.....	.....
2. Transportation	**8**	**5,924**	**1,620**	**27.3**	**1,165**	**350**	**105**	.....
Railways	2	649	20	3.1	15	.....	5	.....
Teaming and cab driving	3	3,200	975	30.5	875	.....	100	.....
Freight handling	2	825	275	33.3	275	.....	.....	.....
Telegraphs	1	1,250	350	28.0	.....	350	.....	.....
3. Clothing and Textiles	**11**	**8,643**	**4,642**	**53.7**	**4,301**	**175**	**66**	**100**
Garments	8	7,225	4,445	61.5	4,140	175	30	100
Hats, caps and furs	2	818	143	17.5	118	.....	25	.....
Boots, shoes and gloves	1	600	54	9.0	43	.....	11	.....
4. Metals, Machinery and Shipbuilding	**14**	**6,228**	**1,799**	**28.9**	**1,670**	**16**	**113**	.....
Iron and steel	10	5,061	1,293	25.5	1,217	13	63	.....
Metals other than iron and steel	3	517	156	30.2	153	3	.....	.....
Shipbuilding	1	650	350	53.8	300	.....	50	.....
5. Printing, Binding, Etc.	**2**	**6,950**	**776**	**11.2**	**421**	**14**	**341**	.....
6. Wood Working and Furniture	**7**	**2,913**	**853**	**29.3**	**801**	**35**	**17**	.....
7. Food and Liquors	**7**	**3,479**	**398**	**11.4**	**367**	.....	**31**	.....
Food products	5	1,571	282	18.0	281	.....	1	.....
Beverages	2	1,908	116	6.1	86	.....	30	.....
8. Theaters and Music	**1**	**925**	.....	.....	.....	.....	.....	.....
9. Tobacco	**2**	**1,793**	**1,487**	**82.9**	**1,273**	.....	**70**	**144**
10. Restaurants and Retail Trade.	**4**	**1,756**	**325**	**18.5**	**270**	.....	**55**	.....
Hotels and restaurants	3	1,675	325	19.4	270	.....	55	.....
Retail trade	1	81	.....	.....	.....	.....	.....	.....
11. Public Employment	**1**	**1,713**	**16**	**0.9**	.....	.....	**16**	.....
12. Stationary Engine Men	**2**	**1,779**	**68**	**3.8**	**59**	**2**	**7**	.....
13. Miscellaneous	**3**	**676**	**136**	**20.1**	**133**	.....	**3**	.....
Leather and leather goods	1	166	66	39.8	63	.....	3	.....
Glass and Glassware	2	510	70	13.7	70	.....	.....	.....
Total	92	66,120	22,627	34.2	20,716	592	1,053	266

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TABLE X.—IDLENESS OF ORGANIZED WAGE WORKERS IN REPRESENTATIVE UNIONS IN NEW YORK CITY AT THE END OF DECEMBER: (b) 1906.

INDUSTRIES OR GROUPS OF TRADES.	Unions.	Members.	Number idle.	Per cent idle.	Idle on Account of—			
					Lack of work.	Strike or lockout.	Sickness, accident or old age.	Other reasons.
1. Building, Stone Working, Etc.	**30**	**22,634**	**4,439**	**19.6**	**3,830**	**36**	**209**	**364**
Stone working	1	1,000	200	20.0	200	.....	.....	.....
Building and paving trades	26	19,255	3,472	18.0	2,930	36	199	307
Building and street labor	3	2,379	767	32.2	700	.....	10	57
2. Transportation	**8**	**6,571**	**612**	**9.3**	**575**	.....	**32**	**5**
Railways	2	633	12	1.9	.....	.....	7	5
Teaming and cab driving	3	3,150	590	18.7	565	.....	25	.....
Freight handling	2	928	10	1.1	10	.....	.....	.....
Telegraphs	1	1,860	.....	.....	.....	.....	.....	.....
3. Clothing and Textiles	**10**	**5,722**	**873**	**15.3**	**555**	**122**	**96**	**100**
Garments	7	4,472	847	18.9	555	122	70	100
Hats, caps and furs	2	750	26	3.5	.....	.....	26	.....
Boots, shoes and gloves	1	500	.....	.....	.....	.....	.....	.....
4. Metals, Machinery and Shipbuilding	**14**	**5,682**	**279**	**4.9**	**82**	**130**	**53**	**14**
Iron and steel	10	4,515	138	3.1	82	2	53	1
Metals other than iron and steel	3	539	13	2.4	.....	.....	.....	13
Shipbuilding	1	628	128	20.4	.....	128	.....	.....
5. Printing, Binding, Etc.	**1**	**6,728**	**906**	**13.5**	**228**	**360**	**318**	.....
6. Wood Working and Furniture	**7**	**2,943**	**399**	**13.6**	**218**	.....	**28**	**153**
7. Food and Liquors	**7**	**3,382**	**214**	**6.3**	**191**	.....	**23**	.....
Food products	5	1,532	149	9.7	146	.....	3	.....
Beverages	2	1,850	65	3.5	45	.....	20	.....
8. Theaters and Music	**1**	**845**	.....	.....	.....	.....	.....	.....
9. Tobacco	**2**	**1,924**	**51**	**2.7**	**25**	.....	**25**	**1**
10. Restaurants and Retail Trade	**4**	**1,776**	**61**	**3.4**	**45**	.....	**14**	**2**
Hotels and restaurants	3	1,646	61	3.7	45	.....	14	2
Retail trade	1	130	.....	.....	.....	.....	.....	.....
11. Public Employment	**1**	**1,980**	**38**	**1.9**	.....	.....	**38**	.....
12. Stationary Engine Men	**2**	**1,331**	**29**	**22**	**23**	.....	**1**	**5**
13. Miscellaneous	**3**	**695**	**37**	**5.3**	**27**	**6**	**4**	.....
Leather and leather goods	1	170	15	8.8	12	.....	3	.....
Glass and glassware	2	525	22	4.2	15	6	1	.....
Total	**90**	**62,213**	**7,938**	**12.8**	**5,799**	**654**	**841**	**644**

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PUBLICATIONS

OF THE

New York State Department of Labor

The current report will be forwarded, on application, to any citizen of New York. Previous reports are free, but payment of carriage devolves upon applicants. Of the 1907 Report only Part I, Seventh Report of the Commissioner of Labor (transmitted to the Legislature Jan. 1, 1908) is ready for distribution.

SIXTH ANNUAL REPORT, 1906.

Part I. Sixth Annual Report of the Commissioner of Labor (280 pages, paper covers. Contains, in appendices, preliminary reports of the Bureau of Factory Inspection, Bureau of Mediation and Arbitration, opinions by the Attorney-General, index of bills and statutes relating to labor acted upon by the Legislature of 1906, and a compilation of all the labor laws in force in 1906).

Part II. Twenty-first Annual Report on Factory Inspection (275 pages, paper).

Part III. Twentieth Annual Report of the Board of Mediation and Arbitration (487 pages, paper covers).

Part IV. Twenty-fourth Annual Report of the Bureau of Labor Statistics (1,046 pages, cloth bound).

Chap. I. Economic Condition of Labor in 1906 (44 pages).
Chap. II. Trade Unions in 1906 (13 pages).
Chap. III. Health Conditions in the Printing Trade (50 pages).
Appendix — Statistical Tables (894 pages).

Parts I–III may also be had in a single cloth-bound volume.

PREVIOUS ANNUAL REPORTS

1901.— FIRST ANNUAL REPORT. (3 vols., 1,819 pages.)
Vol. I. General Report and Report on Factory Inspection. (615 pages.)
Vol. II. Nineteenth Report of the Bureau of Labor Statistics. (780 pp.)
Vol. III. Fifteenth Annual Report on Mediation and Arbitration. (424 pp.)

1902.— SECOND ANNUAL REPORT. (3 vols., 2,740 pages.)
Vol. I. Report of the Commissioner of Labor. (50 pages.)
Report of the Free Employment Bureau. (16 pages.)
Report of the Bureau of Factory Inspection. (602 pages.)
Report of the Bureau of Mediation and Arbitration. (219 pp.)
Vol. II. The Growth of Industry in New York. (678 pages)
Vol. III. Report of the Bureau of Labor Statistics. (1,172 pages.)

1903.— THIRD ANNUAL REPORT. (3 vols., 2,958 pages.)
Vol. I. General Report. (329 pages, including Special Report on Employers' Welfare Institutions.) *Also separately bound in paper.*
Seventeenth Report on Mediation and Arbitration. (363 pages.)
Vol. II. Twenty-first Report of the Bureau of Labor Statistics. (1,125 pp.)
Vol. III. Eighteenth Annual Report on Factory Inspection. (1,141 pages.)

1904.— FOURTH ANNUAL REPORT. (2 vols., 1,710 pages.)
Vol. I. Report of the Commissioner of Labor, etc. (287 pages.)
Report of the Bureau of Mediation and Arbitration. (205 pages.)
Report of the Bureau of Factory Inspection. (295 pages.)
Vol. II. Twenty-second Annual Report of the Bureau of Labor Statistics (923 pages, cloth bound.)

1905.—FIFTH ANNUAL REPORT. (2 vols., 1,940 pages.)
Vol. I. Report of the Commissioner of Labor, etc. (216 pages.)
Report of the Bureau of Factory Inspection. (301 pages.)
Report of the Bureau of Mediation and Arbitration. (423 pages.)
Vol. II. Twenty-third Annual Report of the Bureau of Labor Statistics (1,000 pages.)

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PUBLICATIONS OF THE DEPARTMENT OF LABOR—Continued

QUARTERLY BULLETINS

[Index and title-page for each volume sent on application; also editorial summaries of some of the BULLETINS out of print.]

1899.	Vol.	I. Nos. 1–3.	(242 pages.)	Nos. 1 and 3 are *out of print.*
1900.	"	II. Nos. 4–7.	(356 pages.)	Nos. 4 and 7 are *out of print.*
1901.	"	III. Nos. 8–11.	(346 pages.)	Nos. 8, 9 and 10 are *out of print.*
1902.	"	IV. Nos. 12–15.	(364 pages.)	
1903.	"	V. Nos. 16–19.	(480 pages.)	No. 17 is *out of print.*
1904.	"	VI. Nos. 20–23.	(449 pages.)	No. 21 is *out of print.*
1905.	"	VII. Nos. 24–27.	(480 pages.)	
1906.	"	VIII. Nos. 28–31.	(556 pages.)	No. 30 is *out of print.*
1907.	"	IX. Nos. 32–35.	(504 pages.)	

MISCELLANEOUS

MONOGRAPHS ON SOCIAL ECONOMICS

Prepared for the Louisiana Purchase Exposition, St. Louis, 1904.

I. Typical Employers' Welfare Institutions. By G. A. Stevens and L. W. Hatch. (30 pages, 4 illustrations.)

II. Labor Legislation in New York. By A. F. Weber. (30 pages.)

III. The Work of the Department of Labor. By A. F. Weber and L. W. Hatch. (42 pages, with tables and charts.)

IV. The Growth of Industry in New York. By A. F. Weber. (60 pages and charts.)

In addition to its own publications, the Department can supply reports of certain official and semi-official bodies, including the three Departmental Bureaus which formerly existed as separate branches of the State administration. Such reports, so far as they are not exhausted, are listed below.

Proceedings of the annual conventions of the Association of Officials of Bureaus of Labor Statistics of America: Fourteenth (1898), Nineteenth (1903), Twentieth (1904), Twenty-first (1905), and Twenty-second (1906).

Proceedings of the annual conventions of the International Association of Factory Inspectors of America: Second (1888), Seventh (1893), and Fourteenth (1900) to Twentieth (1906).

STATE FACTORY INSPECTOR

Of the fifteen annual reports made by the Factory Inspector (1886–1900), three can be furnished: First (1886), Seventh (1892) and Thirteenth (1898).

BOARD OF MEDIATION AND ARBITRATION

Of fourteen annual reports (1887–1900), only that for 1900 can now be supplied.

BUREAU OF LABOR STATISTICS

Of the eighteen annual reports made from 1883 to 1900, the following are still available:

1890.— EIGHTH ANNUAL REPORT. (2 vols., 1,187 pages.)

1891.— NINTH ANNUAL REPORT. (2 vols., 1,190 pages.)

1892.— TENTH ANNUAL REPORT. (2 vols., 1,087 pages.)

1895.— THIRTEENTH ANNUAL REPORT. (2 vols., 1,256 pages.)

1900.— EIGHTEENTH ANNUAL REPORT. (xiv, 1,072 pages.)

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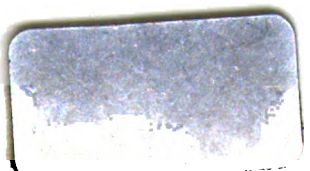
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